



## Planning Commission BYLAWS

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**CITY OF NEWAYGO  
PLANNING COMMISSION BYLAWS**

**A. PURPOSE:**

The purpose of the City of Newaygo Planning Commission is to manage planning and zoning in the City of Newaygo. The purpose of having planning and zoning in the City of Newaygo is to create, organize, enumerate powers of land, for coordinated and harmonious development of the City; and function in cooperation with other constituted authorities of incorporated and unincorporated areas within the state where the City of Newaygo exists. These Bylaws are adopted by the Commission to facilitate the performance of its duties as outlined in P.A. 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 P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling Act, hereinafter “the Zoning Act.”

**B. BOARD COMPOSITION & QUALIFICATIONS:**

The members of the Planning Commission shall be appointed by the Chief Executive Officer of the City (the Mayor), with the concurrence of the City Council. The Board will be composed of nine (9) members and each board member shall serve a term of three years unless an ex-officio member. Board members shall be qualified electors of the City, except two (2) non-qualified electors may be members of the Commission. Board members shall not hold any elected office or employment with the City, unless an ex-officio member. Board members shall not be a declared candidate for any political office, except this condition shall not apply to the City Council representatives to the Commission. At the first meeting of each calendar year, a Chair, Vice-Chair, and Secretary will be elected by the board. An ex-officio member of the Planning Commission is not eligible to serve as Chair. All officers are eligible for re-election. In the event that the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall elect a successor to the office of Vice-Chair for the unexpired term. In the event that the office of the Secretary becomes vacant, a new Secretary shall be elected for the unexpired term. The Commission may designate another person who is not a member of the Commission to be the recording secretary. Please refer to Ordinance 09-01 and the Planning Act for additional information related to board composition and qualifications.

Liaisons may be City of Newaygo officials and representatives whose role is to participate in discussions with the Commission. Liaisons are not members of the Commission and may not vote, introduce motions, initiate any other parliamentary action, be counted toward a quorum or be expected to comply with any attendance requirements. Liaisons, if not already appointed Commission members, may be (where applicable):

1. Planning Director (as appointed)
2. The Commission’s consultants
3. City of Newaygo attorney and/or corporate counsel
4. City of Newaygo engineering, water, sewer, DPW, or similar department heads
5. City of Newaygo City Manager
6. City of Newaygo Mayor
7. Manager of the County Road Commission and village or city road agency
8. The County Emergency Management Coordinator
9. The County Soil Erosion and Sedimentation Control Officer
10. District Health Department senior or supervisory Registered Sanitarian

11. The County Surveyor, except when the issue before the Commission is to review his, or his client's work
12. The County Register of Deeds
13. The County Extension Director
14. The County Soil Conservation Service Soil Conservationist
15. Regional (multi-county) Planning Staff

If any member of the Commission is absent from three consecutive regularly scheduled meetings, such absences shall constitute nonfeasance in office. Nonfeasance in office shall be grounds for removal of a member from the Commission by the City Council following a public hearing on the matter. The Commission Secretary, or acting Secretary in the absence of the elected Secretary, shall keep attendance records and shall notify the City Council whenever any member of the Commission is absent from three consecutive regularly scheduled meetings.

It is highly recommended that each member attend at least three hours per year of training in planning and zoning during the member's current term of office.

1. Duties of all members:
  - a. *Ex Parte* contact
    - i. Members shall, when feasible, avoid *ex parte* (i.e. private conversations outside a public meeting) contacts about administrative cases before the Commission.
    - ii. Despite one's best efforts it is sometimes not possible to avoid *ex parte* contact. When that happens, the member should take notes on what was said and report to the Commission at a public meeting or hearing the substance of the conversation.
  - b. Site inspections
    - i. Site inspections shall be done by the Planning Director or other staff. A written or verbal report of the site inspection shall be presented to the Commission at a public meeting or hearing on the site.
    - ii. If desired, individual members of the Commission may accompany the Planning Director or staff on a site inspection.
  - c. Spokesperson for the Commission
    - i. Free and open debate should take place on issues before the Commission. Such debate shall only occur at meetings of the Commission.
    - ii. Once a vote is taken and an issue is decided by vote, the duty of each member of the Commission is to represent the position reflected by the outcome of the vote. Minority reports and requests for reconsideration may take place only at an open meeting of the Commission.
    - iii. From time-to-time or on a specific issue the Commission may appoint a spokesperson to represent the Commission outside the meetings of the Commission.

**C. CONFLICT OF INTEREST:**

1. Members of the Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to the following:
  - a. Issuing, deliberating on, voting on, or reviewing a case in which he or she has direct financial interest

2. Where there is a reasonable question as to whether a conflict of interest exists or not, the Question shall be put before the Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Commission. Where a Commissioner may reasonably believe that a conflict of interest may exist; the Commissioner has an affirmative obligation to disclose to the Commission the potential conflict of interest.
3. When a conflict of interest exists, the member of the Commission shall do all of the following Immediately, upon first knowledge of the case and determining that a conflict exists:
  - a. Declare a conflict exists at the next meeting of the Commission or committee;
  - b. cease to participate at the Commission meetings, or in any other manner, or represent one's self before the Commission, its staff, or others regarding the particular case, and during deliberation of the agenda item before the Commission, leave the meeting or remove one's self from the front table where members of the Commission sit, until that agenda item is concluded.
4. If a member of the Commission is appointed to another office, which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from the other office. Whether incompatibility of an office exists shall be determined in accordance with state law.
5. Gifts shall not be accepted by a member of the Commission or liaisons from anyone connected with an agenda item before the Commission.
6. As used here, gifts shall mean cash, any tangible item, or service, regardless of value; and food valued over \$20.

**D. MEETINGS-REGULAR & SPECIAL:**

1. Regular Meetings:  
Regular meetings of the Planning Commission will be held on the Thursday prior to the second Monday of each month beginning at 6:30 p.m., Eastern Time, at Newaygo City Hall located at 28 N. State Road, Newaygo. Regular meetings may be rescheduled at other times by a vote of the Commission.
2. Special Meetings:  
A Special meeting shall be called by the Chair or by any two members of the Commission upon written request to the City Clerk and upon at least 18 hours written notice to each member of the Commission, and 18 hours written notice to the public designating the time, place and purpose of the meeting and emailed to all board members.
3. Regular & Special Meeting Notice (Posting) Requirements:
  - a) For regular meetings of the Planning Commission, the Clerk shall post at City Hall, within three (3) days after the first meeting of the Commission in each calendar year, a public notice stating the dates, times, and places of its regular meetings for the year. Dates of the meetings will also be posted on the City's website.
  - b) For a special meeting or a rescheduled regular meeting of the Commission, per the Michigan Open Meetings Act, a public notice stating the date, time, place, and reason of

the meeting shall be posted at City Hall at least 18 hours before the meeting. If the posting area is not open to the public for any part of the 18 hours prior to the meeting, the notice must be posted on the exterior doors of City Hall. A public notice shall also be placed on the City's website.

- c) Posting Requirements may change should the Michigan Open Meetings Act be amended relating to posting requirements.

4. Decision-Making:

All decisions must be made at a meeting open to the public per the Michigan Open Meetings Act (OMA). The use of e-mail, texting or other forms of electronic communications among board members during the course of an open meeting or outside a meeting that constitutes deliberations towards decision-making or actual decisions violates the OMA. Please see OMA MCL 15.263 Section 3.2 and Section 3.3 for additional information.

5. Agendas:

- a) Preparations: The City Clerk, under the guidance of the Planning Director or Zoning Administrator, if a Planning Director does not exist, shall prepare an agenda for each regular or special meeting of the Planning Commission. The deadline for submitting items and supporting documentation to the Planning Director, Zoning Administrator or City Clerk for inclusion on the Planning Commission Agenda is six (6) business days prior to the regularly scheduled Commission Meeting. Depending on the complexity of the issue, and the need for any research and preparation, staff will attempt to include requested items on a meeting agenda within two meetings after receipt of the request. The final content of each meeting agenda shall be decided by a majority vote of the Planning Commission Board Members present.
- b) Distribution: Agendas and accompanying materials shall be emailed to Commission board members four (4) days prior to the regular meeting or at least 18 hours before a scheduled special meeting.

6. Minutes of Regular and Special Meetings:

The Planning Commission Secretary or Recording Secretary shall keep a journal of the proceedings of each regular and special meeting, in the English language, approved by the Planning Commission and shall be signed by Planning Commission Secretary. The City Clerk will retain the minutes of regular and special meetings at City Hall. At a minimum, the minutes shall include the following:

- a) A copy of the meeting posting pursuant to P.A. 267 of 1976, as amended, if it is a special meeting.
- b) Copy of the minutes, and all its attachments which shall include a summary of the meeting, in chronological sequence of occurrence:
  - i. Time and place the meeting was called to order
  - ii. Attendance
  - iii. Indication of others present
  - iv. Summary of all reports (including reports of what was seen and discussed at a site inspection) presented at the meeting, and who gave the report and in what capacity. An alternative is to attach a copy of the report if offered in writing.
  - v. Summary of comments made by the applicant, officials, and guest and an indication of who made the comments. An alternative is to attach a copy of the speaker's statement, petition, or letter if provided in written form.
  - vi. Full text of all motions introduced, whether seconded or not, who made the motion and who seconded the motion.

- vii. The type of vote and its outcome. If a roll call vote, indicate who voted yes, no, abstained or a statement the vote was unanimous. If not a roll call vote, then simply a statement: “the motion passed/failed after a voice vote.”
  - viii. When a voting member or staff member has a conflict of interest and when the voting member ceases and resumes participation in discussion, voting and deliberations at a meeting.
  - ix. Full text of any resolutions offered.
  - x. Summary of announcements.
  - xi. Time of adjournment.
- c) Records of any action, support documents, maps, site plans, photographs, or correspondences received shall be kept in board packets at City Hall.
  - d) Unapproved minutes of regular or special meetings will be available for public inspection within eight (8) business days after the meeting to which the meetings refer.
  - e) Approved minutes will be available for public inspection within five (5) business days after the meeting at which the minutes were approved by the Planning Commission.

**E. MEETING PROCEDURES:**

1. Meetings to the Public:

All regular and special meetings of the Planning Commission shall be open to the public and the public shall have a reasonable opportunity to be heard under such rules and regulations as the Planning Commission may prescribe.

2. Order of Business:

The City Clerk, under the guidance of the Planning Director or Zoning Administrator if a Planning Director does not exist, in accordance with the following order of business shall prepare an agenda for each Regular Planning Commission meeting:

- Call to Order
- Pledge of Allegiance
- Roll Call
- Excuse Absent Members
- Approval of Agenda
- Public Comments (agenda items only)
- Approval of Minutes
- Board Business
- Public Comment
- Planning Commission Board Member Comments
- Adjournment

a) Motions:

- iii. No motion shall be debated unless it has been seconded
- iv. The initiator of a motion may withdraw any motion at any time before it has been adopted. However, if the motion has been seconded, the seconding party must also consent to withdrawal
- v. All motions, resolutions and amendments or substitutions thereto, and the vote thereon, shall be entered in the minutes unless withdrawn
- vi. When an appeal is taken from a decision by the Chair, the member taking the appeal shall be allowed to state his or her reason or doing so. The questions shall then be immediately put in the following (or substantially similar) form- “Shall the ruling of the Chair be sustained?”

- vii. Motions shall be restated by the Chair before a vote is taken
- viii. All actions taken by the commission in an administrative capacity (including but not limited to, special use permits, subdivisions, zoning, site plan review, planned unit developments, review and submission on another municipality's proposed plan, review and submission on a capital improvement) shall, where feasible, incorporate the following:
  - a. A finding of fact, identifying what the Commission determines to be relevant facts in the case.
  - b. Conclusions identifying reasons based on the facts for the Commission's action, often related to a finding of compliance or noncompliance with prescribed standards.
  - c. The Commission's action.

3. Quorum:

A majority of the board members of the Planning Commission appointed and serving shall constitute a quorum for the transaction of business and the taking of official action. In the absence of a quorum a lesser number may adjourn any meeting to a later time or date.

4. Presiding Officer:

The presiding officer, hereinafter "Chair", shall be responsible for enforcing the Rules of the Planning Commission as contained herein.

- a) The Chair shall preside at the meetings of the Planning Commission. If the chair is absent or unable to chair a particular meeting of the Planning Commission, the Vice-Chair shall do so. If both the Chair and Vice-Chair are not present or unable to chair a meeting of the Planning Commission, the board member who has served on the Planning Commission the longest shall chair the particular meeting.
- b) It shall be the duty of the Chair to preside at all meetings of the Planning Commission, to preserve order and to decide all questions of order and procedure subject to appeal to the Planning Commission.
- c) The Chair can appoint officers of committees or choose to let the committee's select their own officers.
- d) The Chair shall act as member and Chair of the Executive Committee.
- e) The Chair shall act as an ex-officio member of all committees of the Commission.
- f) The Chair shall periodically meet with the Planning Director (as applicable) to review Planning Department operation, procedures, and to monitor progress on various projects.
- g) The Chair shall annually perform a job evaluation of the Planning Director (as applicable), discuss the evaluation with the Planning Director, and provide a copy of the evaluation for the City personnel files.
- h) The Chair shall chair or perform a major role in the interview and selection process for a Planning Director.
- i) The Chair shall act as, or delegate someone to act as, the Planning Director in the absence of a Planning Director.
- j) The Chair shall perform such other duties as may be ordered by the Planning Commission Board.
- k) The Vice-Chair shall act in the capacity of the Chair, with all the powers and duties listed above in the Chair's absence and act as a member and Vice-Chair of the Executive Committee.

5. Secretary or Recording Secretary shall:

- a) Only the Secretary (not Recording Secretary) shall execute documents in the name of the Commission.
- b) Be responsible for preparing the minutes of each meeting.
- c) Distribute “draft” meeting minutes to each board member of the Planning Commission for approval, prior to the next meeting of the Planning Commission.
- d) Receive all communications, petitions, and reports to be addressed by the Commission, delivered or mailed to the Secretary in care of the Planning Department Office.
- e) Keep attendance records.
- f) Provide notice to the public and members of the Commission for all regular and special meetings, pursuant to The Open Meetings Act.
- g) Prepare an agenda for Commission meetings.
- h) The Planning Commission Secretary, not the Recording Secretary, shall act as a member of the Executive Committee.
- i) Perform other duties as may be ordered by the Commission.
- j) The Recording Secretary will not be a member of the Commission and will not have voting rights.

**F. ELECTRONIC MEETINGS:**

Electronic meetings may be offered at times if allowed by State Order or the Michigan Open Meetings Act (OMA) and will follow all OMA guidelines. In situations where an electronic meeting may be offered, Planning Commission may have a meeting entirely electronically or a meeting where some board members participate electronically and some board members are face-to-face. Electronic meetings may be in the form of teleconference, audio-conference, or videoconference.

1. Guidelines:

- a) Meetings must be conducted in a manner that permits two-way communication so that Planning Commission Board Members can hear and be heard by other board members, and so that public participants can hear board members and can be heard by board members and other participants during public comments.
- b) At the start of each meeting the Chair must publicly declare why the meeting is being held electronically.
- c) For each member of the Planning Commission attending the meeting remotely, a public announcement at the start of the meeting by that member, to be included in the meeting minutes, that the member is in fact attending the meeting remotely. If the member is attending the meeting remotely for a purpose other than for military duty, the member’s announcement must further identify specifically the member’s physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely.
- d) For each Planning Commission board member attending the meeting remotely, they must state their name prior to speaking or making a motion.
- e) Members attending the meeting remotely must announce their departure if prior to the end of the meeting.
- f) The Chair may cause or direct the disconnection or muting of a member or public connection if it is causing undue interference with the meeting.
- g) Any business transacted during loss of meeting room connection is null and void, unless there is a quorum in the meeting room at such time.



- h) No action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting as long as a quorum is still present.
  - i) Refer to the Open Meetings Act and Robert's Rules of Order for additional information.
2. Electronic Meeting Notice (Posting) Requirements:  
 For an electronic meeting of the Planning Commission, per the Open Meetings Act, a public notice shall be posted at City Hall at least 18 hours before the meeting. If the posting area is not open to the public for any part of the 18 hours prior to the meeting, the notice must be posted on the exterior doors of city Hall. A public notice shall also be placed on the City's website. The public notice must contain:
- a) A statement as to why the public body is meeting electronically.
  - b) How members of the public may participate in the meeting electronically. If a telephone number, internet address, or both are needed to participate, that information must be provided specifically.
  - c) How members of the public may contact board members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.
  - d) The Planning Commission shall not, as a condition of participating in an electronic meeting, require a person to register or otherwise provide his or her name or other information to fulfill a condition precedent to attendance.
  - e) Refer to the Open Meetings Act for additional information.
3. Minutes of Electronic Meeting:  
 The meeting minutes of an electronic meeting must list who is present and who is remote. All votes shall be taken by roll call and listed in the minutes.

**G. VOTING AND DISCUSSION:**

- 1. Roll Call:  
 In all roll call votes, the Secretary or Recording Secretary shall call the names of the members of the Planning Commission.
- 2. Results of Voting:  
 In all cases where a vote is taken, the Chair shall declare the result.
- 3. Quorum:  
 The affirmative vote of a majority of those present shall be necessary for the adoption of motions unless otherwise provided by law. The affirmative vote of 2/3 the total number of seats for members of the Commission, regardless if vacancies or absences shall be necessary for the adoption, or recommendation for adoption, of any master plan or amendment to a master plan.
- 4. Duty to Vote:  
 Whenever a question is put before the Commission by the Chair, every member shall vote, provided however, that no member shall be required to vote if:
  - a) That member shall have a conflict of interest and shall state his/her conflict of interest and determined to be a conflict by vote of the Commission. Refer to Section C of these Bylaws and Ordinance 18-05 for Conflict of Interest Information.
  - b) Excused by vote/approval of at least five Planning Commission Members.

If a member is precluded from voting pursuant to a conflict of interest, that member shall refrain from participating in the discussion on the issue.

5. Request for Postponements:  
Planning Commission board member requests for postponement of agenda items require approval by a majority of the Commission members present.
6. Rules of Parliamentary Procedure:  
Meetings of the Planning Commission shall generally utilize Roberts Rules of Order, unless otherwise provided for in these bylaws.
7. General Consensus:  
General consent or consensus may be used to give direction and the minutes should indicate that a majority consented.

## **H. PUBLIC PARTICIPATION:**

1. General:  
Each Planning Commission Meeting Agenda shall provide time for public audience participation, as requested and limited herein. Members of the public may comment only during the public comment portions of the meeting. Public comment shall not be in order except during designated times or as approved by the Chair. Any person shall have the right to record or broadcast the proceedings of the Planning Commission, but they shall not utilize the electrical outlets or internet bandwidth of the City without the prior permission of the Chair and City Manager.
  - a) Specific answers to citizen's questions need not be given by the Chair or other City officials at the time requested, but may, at the City's discretion, be followed up later.
2. Persons Addressing the Commission:  
Members of the public at the meeting shall not speak unless recognized by the Chair. Prior to addressing the Commission, members of the public shall state their name and address and, if appropriate, group affiliation for the record.
3. Conduct of Public Hearings:  
Unless otherwise required by State or local law, public hearings shall be opened by declaration of the Chair at the time stated in the public notice of the hearing. If no members of the public desire to speak or no members of the public are present, then the Chair may declare the hearing closed and take up consideration of the next agenda item. Members of the public shall be limited to speaking for a maximum of three (3) minutes during any public hearing. A person representing a group of citizens and speaking on behalf of them shall be allowed up to five (5) minutes to address the Planning Commission during a hearing. The Chair shall notify the speaker when time is up.
4. Requests to Speak During Regular Agenda Items:  
Any person wishing to speak to an item included on the printed meeting agenda may do so if recognized by the Chair. Upon recognition, they will be required to state their name and address and will be allowed up to three (3) minutes to address the Planning Commission. A speaker representing a group or association present at the meeting may be allowed up to five (5) minutes to address the Planning Commission. No citizen shall speak for more than three (3) minutes during either public comment periods. If the application of such time limits has

the effect of completely denying one or more persons the ability to address the Planning Commission, such persons shall be given at least two (2) additional minutes each to address the Planning Commission. The Planning Commission may suspend the time limitation when warranted. The Planning Commission may also, in its discretion, limit public comments to new information or matters not fully addressed at the meeting or any previous meeting regarding the agenda item at issue. When all persons who wish to address that agenda item have been heard, the Chair shall announce that public comment on the agenda item is concluded. Planning Commission board members shall then discuss the agenda item, and no further public comment shall be entertained.

- a) In addition to the above-mentioned public comment period, as well as the second public comment period, the Chair may permit limited public comment for particular agenda items.
- b) All public comments shall be directed to and through the Chair. No member of the public shall directly address any other member of the public or any other City Official.
- c) All public comments shall be related to City matters. Public comments must be relevant and germane to the business and functions of the City.
- d) No citizen can “transfer”, reserve or delegate any public comment time to any other person.
- e) The Chair has the authority to extend the comment period for citizens at the Chair’s discretion.
- f) The Recording Secretary shall be responsible for timing the length of public comments and informing the Chair when a citizen has thirty seconds remaining and when time has expired.
- g) No person shall be allowed to speak more than once on the same matter at the same meeting. Person purporting to speak to the same general subject matter in his and her personal and representative capability shall be recognized only once.

5. Requests to Speak Second Public Comment Section:

Members of the public shall have an opportunity, under the second Public Comment section, to address the Planning Commission for no more than three (3) minutes on any item that is not on the approved agenda. All rules of conduct still apply from item 5a-5g.

6. Deviations from Public Participation Rules:

Under unique or desirable circumstances, upon consensus of the Planning Commission board members, the Chair may recognize a member of the audience who shall be permitted to address the Commission at a time other than audience participation. However, all other rules as provided herein shall apply.

7. Disorderly Conduct at Meetings:

Persons addressing the Planning Commission shall make responsible comments and shall refrain from making personal, impertinent, slanderous, profane remarks or obscene speech or gesture. No person shall disrupt a meeting of the Planning Commission. The Chair may call to order any person who is being disorderly by speaking when not recognized by the Chair or otherwise disrupting the proceeding by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such persons shall thereupon be seated until the chair shall have determined whether the person is in order. If a person so engaged in presentation shall be called out of order, he or she shall not be permitted to speak at the same meeting except upon special leave by the Planning Commission. If the person shall continue

to be disorderly and disrupt the meeting, the Chair may order the Police Department to remove the person from the meeting.

- a) Members of the public shall not talk among themselves during a meeting of the Planning Commission in a volume greater than a whisper, and upon being asked by the Chair to quiet down, shall do so.

## I. **COMMITTEES:**

- a) **Executive Committee:** The Executive Committee shall be a standing committee of Commission. Its membership shall be the Chair, Vice-Chair, and Secretary of the Commission and they shall hold the same offices on the committee. The Executive Committee may act as a recommending body to the Commission on the following matters: the Commission budget, employment of a Planning Director, overseeing the Planning Directors day-to-day administration, and anything else directed to the Executive Committee by the Commission.
- b) **Ad Hoc Committees:** The Commission or Chair may establish and appoint ad hoc committees for special purposes or issues, as deemed necessary. Less than a quorum may serve on an ad hoc committee at any given time.
- c) **Citizen Committees:** The Commission or Chair may establish and appoint citizen committees. Membership can be any number; however, only some number of Commissioners less than a quorum may be appointed to serve on a single citizen committee.

### 1. **Rules of Procedure for all Committees:**

- a) Subservient to the Commission. All committees are subservient to the Commission and report their recommendations to the Commission for review and action.
- b) Same Principles. These Bylaws shall generally govern procedures and operation for all committees of the Commission including, but are not limited to:
  - 1. Officers. Officers of committees will be chosen by the committee or appointed by the Chair of the Commission at the time the committee is created. Officers, at a minimum, include a Chair and Secretary-Vice-Chair.
  - 2. Quorum. A committee's quorum shall be a majority of the total appointed membership of the committee.
  - 3. Voting. Only appointed members of a committee who are present at the time of a vote shall be eligible to cast a vote.
  - 4. Attendance. If any member of a committee is absent from three consecutive scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the Commission to remove a member from a committee. The committee Secretary-Vice-Chair or acting committee Secretary in the absence of the elected committee Secretary-Vice-Chair shall keep attendance records and notify the Commission of any committee member who is absent from three consecutive scheduled meetings.
  - 5. Minutes. The Secretary-Vice-Chair of the committee shall keep minutes of the meetings in the same format used by the Commission and filed in the same office as the Commission's minutes.
  - 6. Staff. Committees shall have reasonable staff support for performing the work of the committee.
  - 7. Public. All committee meetings shall be held consistent with P.A. 267 of 1976, as amended.

2. City of Newaygo Department(s) and Subdivisions, and Intergovernmental Coordination:
  - a) The Commission may use committees or interagency staff teams for purposes of coordinating activities with other departments or entities. If a staff team is used, the team shall not be a committee of the Planning Commission or any other public body and shall not be a public body. The team shall be an employee level technical review with only powers to recommend.

**J. ZONING RESPONSIBILITIES:**

- a) Zoning adoption or amendment (including PUD zoning amendments). The Commission shall review and act on all proposed zoning ordinances, or zoning amendments pursuant to the Zoning Act. At least one hearing shall be held on each proposed zoning ordinance or amendment, with notices given as specified by law. After the hearing, action shall be in the form of a recommendation to the legislative body.
- b) Special Use Permit. The Commission shall review and act on all special use permits pursuant to the Zoning Act and zoning ordinance. At least one hearing shall be held on each proposed special use permit, with notices given as specified by law. After the hearing, action may be taken in the form of a motion containing findings and a recommendation to the City Council, pursuant to section E.2.a of these Bylaws.
- c) Site Plan Review. The Commission shall review and act on those site plans consistent with the zoning ordinance. Action shall be in the form of a motion pursuant to section E.2.a of these Bylaws.

**K. PLAN REVIEWS:**

- a) The Commission shall review all adjacent, or contiguous, local government plans as permitted by and consistent with state law.
- b) Action shall be in the form of a motion which includes findings and recommendations pursuant to section E.2.a of these Bylaws.
- c) The Commission's review of such plans shall focus on:
  1. A process that is intended to increase coordination of planning between governments.
  2. Consistencies or inconsistencies with the City's plan(s) with respect to:
    - a. Border issues
    - b. Issues of greater than local concern
    - c. Comparison with local plan contents
    - d. Comparison with county/regional plan contents
    - e. Comparison to other relevant adopted plans (such as an historic preservation plan, local wetland protection plan, TIF or Brownfield redevelopment plan, etc.).
    - f. Comparison to various implementation strategies.

**L. CAPITAL IMPROVEMENT REVIEW:**

- a) Capital Improvement plans and programs shall be reviewed and acted on by the Planning Commission to the extent required by law.
- b) To the extent required by law, action shall be in the form of a motion which contains findings of fact and the Commission's recommendations pursuant to section E.2.a of these Bylaws.

**M. SUBDIVISION REVIEW:**

- a) The Commission shall be responsible to prepare a Subdivision Ordinance and Site- Condominium Ordinance, or amendments to the same, for submission to the City Council
- b) Proposed Subdivisions and Site Condominiums.
  - 1. Staff for the Commission is to receive a plat and determine that the submission is complete. If incomplete, the plat shall be returned to the applicant with a list of deficiencies. If complete, the plat shall be received on behalf of the Commission.
  - 2. The Commission shall conduct a review of and hold hearings regarding plats of proposed subdivisions and or site-condominiums to the extent authorized by law.

**N. OTHER MATTERS TO BE CONSIDERED BY COMMISSION:**

- a) Commission Action: Without limitation, the following matters shall be presented for consideration at a meeting of the Commission:
  - 1. At least annually, the adoption of priorities for the Commission's plan of work.
  - 2. Annually, preparation of an annual report of the Commission.

**O. ADOPTION, REPEAL, AMENDMENTS:**

Upon adoption of these bylaws, they shall become effective and replace all previous bylaws. The Commission may suspend any one of these bylaws for duration of not more than one meeting. The rules of the Planning Commission may be altered or amended by a majority vote of the entire Commission.

Adopted at Planning Commission Meeting this 4<sup>th</sup> day of November, 2021

\_\_\_\_\_  
David Chambers, Chair

\_\_\_\_\_  
Sandy Williams, Secretary

Adopted at City Council Meeting this 8<sup>th</sup> day of November, 2021

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Ed Fedell, Mayor

\_\_\_\_\_  
Kim Goodin, City Clerk