



CITY OF WAYNE PLANNING COMMISSION BYLAWS

These bylaws of the Planning Commission of the City of Wayne, Wayne County, Michigan, are adopted in accordance with the Michigan Planning Enabling Act (Act 33 of 2008 as amended), which states, "a planning commission shall adopt bylaws for the transaction of business and shall keep a public record of its resolutions, transactions, findings and determinations."

1. AUTHORIZATION

The Planning Commission, hereinafter called the Commission, is established pursuant to the Michigan Planning Enabling Act (Act 33 of 2008 as amended), and the City of Wayne Code of Ordinances Chapter 1210.

2. OFFICERS & COMMISSIONERS

2.1 Selection. At the first regular meeting after the first Tuesday in July, the Commission shall select from its members a chair, vice-chair, and secretary.

2.2 Terms. Term of office shall commence from the date of selection for a period of one year, or until a successor has been selected.

2.3 Duties of Officers & Commissioners.

- a. The chair shall preside at all meetings, appoint committees and liaisons to other groups with concurrence from the Commission, authorize calls for special meetings and perform such other duties as may be specified by the Commission.
- b. The vice-chair shall act in the capacity of the chair in the chair's absence.
- c. In the event the office of the 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.
- d. The secretary shall perform those duties as assigned by the Michigan Planning Enabling Act (Act 33 of 2008 as amended), and such other duties as may be assigned from time to time by the Commission.
- e. Members of the Commission who are absent from more than two (2) consecutive, regularly scheduled Commission meetings and work sessions or more than thirty (30) percent of the regularly scheduled Commission meetings and work sessions in a calendar year shall be subject to review and possible recommendation for removal to the City Council. Exceptions may be made if absences are due to the conduct of other business as authorized by the Commission.

- f. None of the members of the Commission shall hold any other public office except that one of such members may also be a member of the Zoning Board of Appeals.

3. RESPONSIBILITIES AND AUTHORITY

The Commission shall assume the following responsibilities and authority pursuant to:

- A. The Michigan Planning Enabling Act (Act 33 of 2008 as amended)
 1. Prepare, adopt, or amend a master plan for the City, including recommendations for development. Examples of activities to accomplish this responsibility include:
 - a. Preparation of planning reports and plans (prior to publication).
 - b. Preparation of preliminary plans and reports for the physical development of the City, including: a land use plan and program and the general location, character, and extent of streets, roads, highways, bicycle paths, pedestrian ways, railroads, bridges, waterways and waterfront developments; flood retention works, drainage, sanitary sewers and water supply system; works for preventing pollution and works for maintaining water levels; and public utilities and structures.
 - c. Recommendations as to the general character, extent and layout for the redevelopment or rehabilitation of blighted areas.
 - d. Evaluate and prepare recommendations related to the administration and enforcement of the subdivision of land.
 2. Conduct studies and surveys related to City planning and development.
 3. Review for character, location, and extent and recommend approval or disapproval of public improvements, prior to construction or authorization for construction of a street, square, park, playground, public way, ground, or other open space, or public building or other building.
 4. Promote public education and citizen participation in the City masterplan.
- B. The Land Division Act (Act 288 of 1967 as amended)
 1. Recommend approval, modification or disapproval of plats in accordance with Chapter 1210.04 of the City of Wayne Code of Ordinances.
- C. The Michigan Zoning Enabling Act (Act 110 of 2006 as amended)
 1. Hear and decide special use permits.
 2. Formulate and recommend ordinances, including their amendments or revisions.
 3. Evaluate and prepare recommendations related to the administration and enforcement of the zoning ordinance.

4. COMMITTEES

- 4.1 Purpose. The Commission may establish committees and/or designate liaisons to other City bodies necessary to assist it in fulfilling its responsibilities and goals.
- 4.2 Appointment. Committee members or liaison members shall be appointed by the chair, with concurrence from the Commission.
- 4.3 Assignment of Duties. The Commission shall define the purpose, functions, tenure, selection of the chair, meeting and reporting requirements for its committees. A committee may be discharged from its responsibilities by the Commission.
- 4.4 Public Participation. Committees shall meet requirements for public participation and access to records as provided for in 5.11 and 5.12 of these bylaws.

5. MEETINGS

- 5.1 Regular Meetings. The Commission shall hold no fewer than four regular meetings each year. In addition, work sessions may be scheduled for informal consideration of business, providing no official actions or decisions are taken at these sessions. All meetings and work sessions shall comply with the provisions of the Freedom of Information Act.
- 5.2 Special Meetings. Special meetings may be called by the Secretary on the written request of four or more members of the Commission. Commission members shall be notified at least 48 hours prior to the meeting. Notification may be by e-mail or telephone and shall include the purpose of the meeting. Public notice of special meetings shall be in accordance with the Open Meetings Act (Act 267 of 1976 as amended).
- 5.3 Meeting Schedule. A schedule of the Commission's regular meetings including date, time and place shall be established for each calendar year in accordance with the Open Meetings Act (Act 267 of 1976 as amended). Notice of such schedule, shall be available to the public no later than ten days after the first meeting of the Commission in each calendar year. A change in the regular meeting schedule shall be posted within three days after the meeting at which the change is made.
- 5.4 Quorum. A majority of members shall constitute a quorum for the transaction of business at meetings unless otherwise specified in these bylaws. The chairperson may postpone or reschedule a meeting in the event a quorum will not be present upon proper notification in accordance with the Open Meetings Act (Act 267 of 1976 as amended).
- 5.5 Resolutions and Motions. All resolutions and motions of a substantive nature shall be made in writing. The name of the originator and seconder, the findings of fact, and the rationale for action shall be recorded in the minutes.
- 5.6 Voting. Voting shall be by voice except that a roll call vote will be taken and recorded for all decisions made by resolution, or when requested by a member of the Commission.

5.7 Decisions. Providing a quorum is present, a simple majority of those present and voting shall be required for Commission action. Exceptions shall include:

- a. Adoption of the Master Plan, or any part thereof, including extensions, additions, revisions or other amendments all of which shall require the affirmative vote of at least six members.
- b. Any other action which by law, City ordinance or parliamentary authority requires otherwise.

5.8 Agenda.

- a. An agenda shall be established for each meeting of the Commission by designated City staff and the chair, and shall be made available to Commission members and the public in advance of the meeting. The chair shall determine the order of business, unless otherwise amended by the Commission.
- b. Agenda items to be considered at a special meeting shall be limited to those included in the call to meeting, unless all members are present and vote otherwise.
- c. No more than three public hearings may be scheduled for a regular meeting of the Commission. The chair may approve exceptions when this bylaw would cause substantial backlog in Commission business.
- d. A typical agenda may include:
 1. Call to order
 2. Approval of agenda
 3. Approval of Minutes
 4. Communications
 5. Public Hearings
 6. Unfinished Business
 7. New Business
 8. Other Business (as applicable)
 9. Announcements
 10. Public Remarks
 11. Adjournment

5.9 Public Participation.

- a. All regular and special meetings, work sessions, and committee meetings shall be open to the public subject to the provisions of the Open Meetings Act (Act 267, 1976 as amended).
- b. Opportunity shall be provided for public comment at meetings in accordance with established Commission and City policies and procedures, which include:
 1. Established protocols for public participation will be announced at the beginning of the meeting.
 2. Opportunity to speak will be granted either under Public Remarks, or during a public hearing, as most appropriate.
 3. Members of the public wishing to speak must first fill out and hand in a request form.
 4. Members of the public will identify themselves by name and address prior to presenting their comments.
 5. A member of the public will be provided no less than three minutes to speak. Reasonable time limits may be imposed to insure everyone desiring to speak has an opportunity to speak.
 6. All written communications will become part of the Commission record.
 7. The chair may invite members of the public to participate in informal discussion on all or selected agenda items during Commission work sessions.
- c. The chair may call to order any person who disrupts the orderly conduct of a meeting and prohibit such person from further participation or attendance at such meeting.

5.10 Records. Designated City staff shall be responsible for minutes and other official records of all Commission meetings and actions, including supporting documentation. Notice of meetings, minutes and records shall be available to the public in accordance with the Freedom of Information Act (Act 442 of 1976 as amended).

5.11 Reporting Requirements. The Commission shall provide for timely transmission of such reports or recommendations as are required by State law, City ordinance or Board policy. Examples of reporting requirements include:

a. Planning.

1. The secretary of the Commission shall prepare and distribute a notice the Commission intends to prepare a Master Plan and requesting cooperation and comment to:
 - a. Each municipality contiguous to The City of Wayne.
 - b. Wayne County Board of Commissioners.
 - c. Each public utility company and railroad company owning or operating a public utility or railroad within City of Wayne that registers its name and mailing address for this purpose with the Commission.
 - d. Any government agency that registers its name and mailing address for this purpose with the Commission.

Wayne County Road Department and Michigan Department of Transportation.

2. The secretary of the Commission shall distribute the completed Master Plan draft after receiving City Council authorization to the following:
 - a. Each municipality contiguous to The City of Wayne
 - b. Wayne County Board of Commissioners including a statement signed by the secretary of the Commission that each municipality contiguous to City of Wayne were notified of the intent to prepare a Master Plan.
 - c. Each public utility company and railroad company owning or operating a public utility or railroad within City of Wayne which has registered its name and address; and reimburses City of Wayne for copying and mailing costs.
 - d. Any government agency which has registered its name and mailing address with the secretary of the Commission and reimburses City of Wayne for copying and mailing costs.
 - e. Wayne County Road Department and Michigan Department of Transportation.
3. The secretary of the Commission shall distribute a copy of the adopted Master Plan to each entity which received a copy of the draft Master Plan.

- b. Zoning. Following the hearing on a proposed Zoning Ordinance, or its amendment, the Commission shall submit any comments received at the hearing and its proposed zoning ordinance including any maps and recommendations to the City Council for final action thereon, as specified in the Michigan Zoning Enabling Act (Act 110 of 2006 as amended).
 - c. Annual Report. The Commission shall make an annual written report concerning its operations and the status of planning activities, including recommendations regarding actions by the City Council related to planning and development; and on the administration and enforcement of the zoning ordinance and recommendations for amendments or supplements to the ordinance. The secretary of the Commission shall transmit the report to the City Council.
- 5.12 Limit on Introduction of Agenda Items. Agenda items shall not be introduced for discussion or a Public hearing opened after 10:00 p.m. The chair may approve exceptions when this bylaw would cause substantial backlog in Commission business.

6. PUBLIC HEARINGS

6.1 Purpose.

- a. Public hearings shall be held:
 - 1. Prior to the adoption of any part of the master plan or any extension, addition, revision or other amendment thereof.
 - 2. Prior to making a recommendation to the City Council of any amendment to the City Zoning Ordinances or of other zoning requests.
 - 3. For consideration of special use permits.
 - 4. For other matters as required by statute or City Zoning Ordinance.
- b. Public hearings may also be held for informational purposes. Reasons for holding informational hearings include but not limited to:
 - 1. To seek citizen input on any appropriate subject.
 - 2. To educate the public on selected issues or proposed actions related to planning and development and enhance public understanding or acceptance.

6.2 Notice.

- a. Notice of public hearings, including time, place, and purpose shall be made in conformance with applicable statutes and ordinances. Examples of noticing requirements include:
 1. Planning. The Michigan Planning Enabling Act (Act 33 of 2008 as amended) for adoption and amendment of a master plan.
 2. Zoning. The Michigan Zoning Enabling Act (Act 110 of 2006 as amended) and City of Wayne Code of Ordinances, for zoning map amendments, zoning ordinance amendments, special use permits, planned unit developments, and planned residential developments.
 3. Plats. The Land Division Act (Act 288 of 1967 as amended) and City of Wayne Code of Ordinances, Chapter 1210.04, for tentative preliminary, final preliminary and final plats.
- b. Other procedures as adopted by the Planning Commission or City Board.

6.3 Format. Public hearings shall be part of regular Commission meetings and shall be conducted according to established written procedures. An example of a typical public hearing format is:

- a. Introduction by the chair (Open public hearing, announcement of procedures, time limits, and protocols for participation by the public, applicants, and their designated representatives).
- b. Summary of subject matter.
- c. Presentation by the petitioner (applicant) or designated representative(s).
- d. Public comments.
- e. Discussion and questioning by Commission members.
- f. Close public hearing.

6.4 Decisions.

- a. A decision on a special use permit, zoning request or ordinance may be made on the date of the public hearing considering such item.
- b. Written notice of a Commission decision will be sent to the parties directly concerned with the purpose of the hearing, including petitioners or originators of the request for the hearing.

7. APPEALS

- 7.1 Administrative Decisions. A person aggrieved by the action of the Director of Community Planning and Development related to a minor amendment to a Special Use Permit originally approved by the Commission may appeal in writing to the Commission within ten (10) days after the date of such action.
- a. The Commission shall hold a hearing on the appeal, following prior notification to the public.
 - b. Parties to the complaint shall confine their participation to the issues specified in the appeal.
 - c. The Commission shall notify the appellant in writing of its decision and rationale.
- 7.2 Commission Decisions. A person aggrieved by action of the commission related to special use permits may appeal such action in writing to the City Board within ten (10) days after the date of such action.

8. PARLIAMENTARY AUTHORITY

Robert's Rules of Order Newly Revised 11th Edition, shall generally govern all questions of procedure not otherwise provided for in these bylaws or by state or federal law, or City ordinance or policy; EXCEPT, the Planning Commission shall not reconsider a decision without prior authorization from the City Board.

9. AMENDMENT AND SUSPENSION OF BYLAWS

- 9.1 Amendment. Bylaws not required by state or federal law or City ordinance may be amended by a two-thirds vote of the Commission, provided fifteen days notice and an opportunity for comment is given to the public.
- 9.2 Suspension. A bylaw may be suspended by a two-thirds vote of Commission members present and voting at a meeting, provided said action is in accordance with established state or federal law, City ordinance and parliamentary authority.

THESE BY-LAWS AND RULES OF PROCEDURES ARE ADOPTED THIS 17TH DAY OF AUGUST 2021, CITY OF WAYNE PLANNING COMMISSION.