

**LODI TOWNSHIP PLANNING COMMISSION BYLAWS of March 23,  
2010 Adopted, effective immediately, March 23, 2010, 8:15 PM Amended,  
effective immediately, February 27, 2018, 8:06 PM**

**Amended, effective immediately, February 27, 2024, 9:06 PM**

**1. Name, Purpose**

**A.** The name shall be the Lodi Township Planning Commission, hereafter known as the "Commission".

**B.** 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, (M.C.L. 125.3801 et seq.), hereinafter "the Planning Act."

**C.** 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, (M.C.L. 125.3101 et seq.), hereinafter "the Zoning Act."

**2. Membership**

**A. Members.** Members of the Commission are appointed by the Lodi Township Supervisor, subject to approval by a majority vote of the members of the Lodi Township Board of Trustees elected and serving pursuant to the Planning Act.

1. First priority, each member shall represent and advocate what is best for the Lodi Township as a whole, putting aside personal or special interests.

2. Second priority, each member shall represent an important segment of the community, as appointed by the Lodi Township Supervisor.

**B. Attendance.** If any member of the Commission is absent from three consecutive regularly scheduled meetings, then that member may be considered delinquent. Delinquency shall be grounds for the Lodi Township Board of Trustees to remove a member from the Commission for nonperformance of duty, after holding 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 Lodi Township Board of Trustees in writing whenever any member of the Commission is absent from three consecutive regularly scheduled meetings, so the Lodi Township Board of Trustees can consider further action allowed under law or excuse the absences.

**C. Misconduct in office.** The Lodi Township Board of Trustees may remove any member of the Commission for misconduct in office after holding a public hearing on the matter.

**D. Conflict of Interest, Incompatibility of Office.**

1. Each member 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 concerning him or her.

b. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.

c. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.

d. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.

e. Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents in-law, grandparents in-law, or members of his or her household.

f. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer:

- (1) is an applicant or agent for an applicant, or
- (2) has a direct interest in the outcome.

2. If there is a question 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.

3. When a conflict of interest exists, the member of the Commission, or committee, 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 or at the same meeting if discovery of conflict is during a meeting, b. cease to participate at the Commission or committee meetings, or in any other manner, and c. during deliberation of the agenda item before the Commission or committee, 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, and the member shall no longer participate as a member of 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.

### **3. Duties of all members.**

#### **A. Ex Parte contact**

1. Members shall avoid Ex Parte contact about cases where an administrative decision is before the commission whenever possible.

2. Despite one's best efforts it is sometimes not possible to avoid Ex Parte contact. When that happens, the member should take detailed notes on what was said and report to the Commission at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.

#### **B. Site Inspections**

1. Site inspections shall be done by the zoning administrator or other staff. A written report of the site inspection shall be orally presented to the Commission at a public meeting or hearing on the site.

2. No more than one member of the Commission may accompany the zoning administrator or staff on a site inspection.

3. Individual members of the Commission may visit the site alone to become familiar with the site. The member must disclose the site visit at the next public meeting of the Commission and report their observations.

#### **C. Not Voting on the Same Issue Twice.**

1. Any member of the Commission shall not vote on an appeal of any judgement or decision which they had a part in making, including, but not be limited to, the following:

- a. A member of the Commission who is also a member of the Zoning Board of Appeals shall not at the Zoning Board of Appeals participate in a public hearing or vote on the same matter as he/she participated in as a member of the Commission. However, the member may consider and vote on unrelated matters involving the same property.

#### **D. Accepting gifts.**

1. Gifts shall not be accepted by a member of the Commission or liaisons from anyone connected with an agenda item before the Commission.

2. As used here, gifts shall mean cash, any tangible item, or service, regardless of value; and food valued over \$10.
3. This section does not apply to the Lodi Township Board of Trustees accepting gifts for the exercise of the Commission's functions pursuant to M.C.L. 125.3823(3), §23(3) of the Planning Act. Only the Board of Trustees may accept such gifts on behalf of the Planning Commission

**E. Spokesperson for the Commission.**

1. Free and open debate should take place on issues before the Commission. Such debate shall only occur at meetings of the Commission.
2. 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.
3. From time-to-time, or on a specific issue, the Commission may appoint a spokesperson for the Commission for all matters which occur outside of the meetings of the Commission.

**F. Code of Conduct.** Each member, upon appointment, shall sign a code of conduct.

## **4. Officers**

**A. Selection.** At the regular meeting in March of each year, the Commission shall select from its membership a Chair, Vice-Chair, and Secretary. An ex officio member of the Planning Commission is not eligible to serve as Chair. All officers are eligible for reelection. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term unless the Vice-Chair is not eligible to serve as Chair. In the event the office of Chair becomes vacant, and the Vice-Chair is not eligible to serve as Chair, the Commission shall select a successor to the office of Chair for the unexpired term. In the event the office of the Vice-Chair becomes vacant, the Commission shall select a successor to the office of Vice-Chair for the unexpired term. In the event the office of the Secretary becomes vacant, the Commission shall select a successor to the office of Secretary for the unexpired term. The Commission or Secretary may also designate another person who is not a member of the Commission to be the recording secretary.

**B. Tenure.** The Chair, Vice-Chair, and Secretary shall take office one week following their selection and shall hold office for a term of one year or until their successors are selected and assume office. The office of Chair, Vice-Chair, or Secretary shall become vacant immediately upon the resignation or replacement of the Commission member holding that office. Further, if the office of Vice-Chair or Secretary is held by an ex-officio member, the office will become vacant when the ex-officio member leaves his or her office.

**C. Chair's Duties.** The Chair retains his or her ability to discuss, make motions and vote on issues before the Commission. The Chair shall:

1. Preside at all meetings with all powers under parliamentary procedure;
2. Shall rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or other remarks which are not about the topic before the Commission;
3. Appoint committees;
4. Appoint officers of committees or choose to let the committees select their own officers.
5. May call special meetings pursuant to Section 5.B of these Bylaws;
6. Act as an Ex-Officio member of all committees of the Commission;

7. Appoint an Acting Secretary in the event the Secretary is absent from a Commission meeting.
8. Review with the Secretary or Township staff, prior to a Commission meeting, the items to be on the agenda;
9. Prepare an agenda for Commission meetings pursuant to Section 5.K of these Bylaws (the Chair may delegate this duty to Township staff);
10. Periodically meet with the Planning Consultant to monitor progress on various projects.
11. Act as the Commission's chief spokesperson to represent the Commission at local, regional, and state government levels.
12. Represent the Commission, along with the Lodi Township Board of Trustees Commission member, before the Lodi Township Board of Trustees; and
13. Perform such other duties as may be ordered by the Commission.

**D. Vice-Chair's Duties.** The Vice-Chair shall:

1. Act in the capacity of Chair, with all the powers and duties found in Section 4.C of these Bylaws, in the Chair's absence; and
2. Perform such other duties as may be ordered by the Commission.

**E. Secretary's Duties.** The Secretary shall:

1. Restate all motions as pursuant to Section 5.E of these Bylaws (the Secretary may delegate this duty to the Recording Secretary);
2. Execute documents in the name of the Commission;
3. Be responsible for the minutes of each meeting, pursuant to section 6.A of these Bylaws.
4. Review the draft of the minutes, sign them, and submit them for approval to the Commission (through the Township Clerk,) and shall have them spread in suitable volumes. Copies of minutes shall be distributed to each member of the Commission one week prior to the next meeting of the Commission (the Secretary may delegate this duty to Township staff);
5. Keep attendance records pursuant to Section 2.B of these Bylaws;
6. Provide notice to the public and members of the Commission for all regular and special meetings, pursuant to the Open Meetings Act, P.A. 267 of 1976, as amended, M.C.L. 15.261 et seq. (the Secretary may delegate this duty to Township staff); and
7. Provide a written notice containing the decision of the Commission to petitioners and originators of a request. The notice may be in the form of a copy of the draft Commission minutes. (the Secretary may delegate this duty to Township staff)
8. Perform such other duties as may be ordered by the Commission.

**F. Recording Secretary's Duties.** The authority to hire a Recording Secretary resides with the Lodi Township Board of Trustees. The Recording Secretary shall not be a member of the commission or any of its committees. If a Recording Secretary has been so hired, the Recording Secretary shall:

1. At each meeting take notes for minutes and prepare a first draft of minutes pursuant to section 6.A of these Bylaws for review and signature by the Secretary;
2. Restate all motions as pursuant to Section 5.E of these Bylaws;
3. Perform such other duties as may be ordered by the Commission or Secretary.

## 5. Meetings

**A. Regular meetings.** Regular meetings of the Commission will normally be held at 7:00 p.m., on the fourth Tuesday of every month except December at the Lodi Township Hall, 3755 Pleasant Lake Road, Ann Arbor, Michigan, 48103. When the regular meeting day falls on a legal holiday, the Commission shall select a suitable alternate day in the same month. The specific dates and

times of regular meetings will be set annually by a resolution of the Commission. An annual notice of regularly scheduled Commission meetings shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 et seq.)

**B. Special Meetings.** Special meetings shall be called by written request to the Secretary in the following manner: 1. By the Chair. 2. By any two members of the Commission. 3. By the Chair at the request of any person not a member of the commission, upon payment of a non-refundable fee as set by the Lodi Township Board of Trustees to cover costs of the special meeting. 4. Notice of special meetings shall be given by the Secretary to members of the Commission at least forty eight (48) hours prior to such meeting and shall state the purpose, time, day, month, date, year and location of the meeting (the Secretary may delegate this function to Township staff). (Notice can be by email). In addition, notices shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act M.C.L. 15.261 et seq.).

**C. Recess.** The Chair, or the Commission, after the meeting has been in session for two hours (not including site inspections), shall suspend the Commission's business and evaluate the remaining items on its agenda. The commission shall then decide to finish that meeting's agenda, may act to continue the meeting on another day (fix the time at which to adjourn), or complete some agenda items and continue the meeting on another day to complete other agenda items or postpone certain agenda items to the next meeting. If applicable, such action shall include the time, day, month, date, year, and location the Commission will reconvene. If more than 18 hours will pass before the reconvened Commission, public notice shall be given to comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 et seq.). Upon reconvening, a roll call of attendance shall be the first item of business before proceeding with the same agenda. The commission shall resume with the same meeting agenda, proceeding at the same point where they left off, without the addition of additional business.

**D. Quorum.** More than half the total number of seats for members of the Commission, regardless if vacancies exist or not, shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Commission. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day. If a quorum is not present at a regular or special meeting due to conflict of interest of a Commission member for one item, that one item only may be tabled or adjourned to another day.

**E. Motions.**

1. Motions shall be restated by the Secretary or Recording Secretary before a vote is taken.
2. All actions taken 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, review of township zoning) shall include each of the following parts.
  - a. Findings of fact, listing what the Commission determines to be relevant facts in the case in order to eliminate misleading statements, hearsay, irrelevant, and untrue statements.
  - b. Conclusions to list reasons based on the facts for the Commission's action, often directly related, or not, to a finding of compliance, or noncompliance, to standards.
  - c. The Commission's action; recommendation or position, approval, approval with conditions, or disapproval.

**F. Voting.** Voting shall be by voice and shall be recorded as passing or failing. Roll call votes will be recorded upon request by a member of the Commission and shall be recorded by "yes" or "no" by the Secretary and recorded in the minutes. Members must be present to cast a vote. Voting by proxy shall not occur. The affirmative vote of a majority of those present or a majority of a quorum, whichever is greater, shall be necessary for the adoption of motions. The affirmative vote of a majority of the total

number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any Master Plan or subplan, or amendment to a Master Plan or subplan.

**G. 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.

**H. Parliamentary Procedure.** Parliamentary procedure in Commission meetings shall be informal. The Chair has broad discretion to maintain order.

**I. Public Participation.** All regular and special meetings, hearings, records, and accounts shall be open to the public.

1. An opportunity for public comment shall be offered at the beginning of the meeting. After that point during the meeting, public comment is normally not allowed; however, sometimes the Commission may direct questions to members of the public. Public comment is at the beginning of the meeting so the Commission can hear concerns and questions before acting on an issue. Those making public comment are expected to be familiar with the issue and have prepared comments ahead of time. To help the public in preparing for the meeting, any written material shall be made available for members of the public prior to the meeting.

2. An opportunity for public comment shall be offered at the end of the meeting.

3. The Chair may limit the amount of time allowed for each person wishing to make public comment at a Commission meeting. The Chair may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comment at the Commission meeting without time limit or an extended time limit as determined by the Chair.

**J. Consensus Business.** Certain items of business before the Commission are routine matters where no discussion normally occurs or is expected to occur and a consensus for adoption normally occurs or is expected to occur. The individual preparing the agenda may mark such items on the agenda as a Consent Item, if that individual feels it qualifies as consensus business. The agenda or material presented on the issue should indicate the proposed action (approve, disapprove, no comment, approve with modification). First, any Consent Item can be removed by request of a member. It is automatically removed if discussed during Public Participation. Second, a motion to adopt the Consent Items can be made, in effect adopting all agenda items still included as Consent Items. The approval of minutes and the expense report shall be proposed on the agenda as Consent Items. Consensus business can be proposed for any item on the agenda, but shall never include any of the following:

1. Items of business which are listed in Section 15 of these bylaws.

2. Review of plans and zoning ordinances, or any part or amendment thereto.

3. Action on special use permits, planned unit developments, site plans, and similar administrative actions.

4. Election of officers.

5. Any item not printed on the agenda which is delivered, along with adequate supporting information, to Commissioners prior to the meeting. The motion to adopt Consent items in the minutes shall clearly list each item and indicate its action/disposition.

**K. Order of Business.**

**Agenda.** The Chair, or designee, shall prepare an Agenda for each meeting and the order of business shall be as follows:

- (A) Call to order, roll call, and Pledge of Allegiance, Approval of Agenda

- (B) Matters pertaining to citizens present at the meeting, in the following

order:

- (1) Advertised Public Hearings. The Chair will declare such a public hearing open and state its purpose. The petitioner, or proponent of the action advertised will be heard first.
- (2) Persons requested by the Commission to attend the meeting.
- (3) Other public participation.
- (C) Housekeeping business.
  - (1) Consent Business.
  - (2) Approval of Minutes.
  - (3) Other.
- (D) Unfinished business and reports (items considered here are taken up in the same order as established by the Commission to fix a priority for consideration and work done in the planning office).
- (E) New business (other business and communications).
- (F) Public participation.
- (G) Adjournment.

**L. Delivery of Agenda.** The agenda and accompanying materials for regular meetings shall be mailed or emailed to Commission members so it is reasonably expected to be received prior to the weekend prior to the regular meeting date, generally accepted to be, but not always, mailed by first class mail or emailed by the Wednesday of the week prior to the Commission meeting, pursuant to section 5.A. The agenda and accompanying materials for *special meetings* shall be delivered to Commission members as soon as practical, but no later than 24 hours prior to such meeting.

Delivery of Preliminary Site Plans and Final Site Plans to Commission members shall conform to the requirements of Article 44 of the Lodi Township Zoning Ordinance. The agenda shall also be posted in accordance with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 et seq.)

**M. Placement of Items on the Agenda.**

1. The Township Clerk shall be the office of record for the Commission.
2. The Township Clerk may receive items on behalf of the Commission as follows:
  - a. Between the time of the adjournment of the previous Commission meeting and fifteen (15) calendar days prior to the next regularly scheduled Commission meeting as follows:
    1. Items associated with prior meeting agenda items ( i.e. Old Business).
    2. New applications of a minor nature, or those requiring minimal review by Township professional staff. The Lodi Township Ordinance may set a longer lead time for certain applications and materials.
  - b. between fifteen (15) calendar days prior to the next regularly scheduled Commission meeting and the next regularly scheduled Commission meeting:
    1. Items of a minor nature not requiring staff review, analysis, or recommendation. The Commission may decide to postpone action to the subsequent regular or special Commission meeting.
3. Items received by the Township Clerk of a major nature (including those requiring, or items normally receiving staff review, analysis, or recommendation), shall be set aside to be reviewed at the subsequent month's regular, or special Commission meeting.
4. The deadline to add items to the Commission's regular meeting agenda shall be fifteen calendar days prior to the next regularly scheduled Commission meeting, per the guidelines stated in 1,2 and 3 above.

## 6. Record.

**A. Minutes and Record.** The Commission Secretary shall keep, or cause to be kept, a record of Commission meetings, which shall, at a minimum, include an indication of the following:

1. Copy of the meeting posting pursuant to P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act, M.C.L. 15.261 et seq.)
2. Copy of the minutes, and all its attachments which shall include a summary of the meeting, in chronological sequence of occurrence:
  - a. Time and place the meeting was called to order.
  - b. Attendance.
  - c. Indication of others present (listing names if others choose to sign in and/or a count of those present).
  - d. Summary or text of points of all reports (including reports of what was seen and discussed at a site inspection) given 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.
  - e. Summary of all points made in public participation or at a hearing by the applicant, officials, and guests and an indication of who made the comments. An alternative is to attach a copy of the public's statement, petition, or letter if it is provided in written form.
  - f. Full text of all motions introduced, whether seconded or not, who made the motion and who seconded the motion. For each motion, the following should be included:
    - (1) A statement of what is being approved (e.g. special use permit, variance, conditional use permit, subdivision, land division, etc.)
    - (2) The location of the property involved (tax parcel number and description, legal description is best).
    - (3) What exhibits were submitted (list each one, describe each, number or letter each and refer to the letter or number in the minutes).
    - (4) What evidence was considered (summary of discussion by members at the meeting).
    - (5) The Planning Commission's findings of fact.
    - (6) Reasons for the decision made. (If the action is to deny, then each reason should refer to a section of an ordinance which would be violated or with which not complied.)
    - (7) The decision (e.g. approve, deny, approve with modification, defer consideration to a future meeting, or recommend action to the Township Board of Trustees).
    - (8) A list of all required improvements (and if they are to be built upfront or name the type of performance security to be used), if any.
    - (9) List of all changes to the map/drawing/site plan that was submitted. (Sometimes it is easier to use a black flair felt pen and draw the changes on the map of what was applied for, rather than listing the changes. Do not use different colors. The map will most likely be photo copied. Then colors on the copy will not show at all or will just be black.)
    - (10) Make the approved map/drawing/site plan part of the motion (e.g. "... dated \_\_\_\_ and made a part of these minutes by reference ...").
  - g. Who called the question.
  - h. 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."
  - i. That a person making a motion withdrew it from consideration.
  - j. All the Chair's rulings, including rulings of discussion being out of order.



- k. All challenges, discussion and vote/outcome on a Chair's ruling.
  - l. All parliamentary inquiries or points of order.
  - m. When a voting member enters or leaves the meeting.
  - n. 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.
  - o. All calls for an attendance count, the attendance, and ruling if a quorum exists or not.
  - p. The start and end of each recess.
  - q. Full text of any resolutions offered.
  - r. Summary of announcements.
  - s. Summary of informal actions, or agreement on consensus.
  - t. Time of adjournment.
3. Records of any action, support documents, maps, site plans, photographs, correspondence received, attached as an appendix to the minutes.
- B. Retention.** Commission records shall be preserved and kept on file by the Township Clerk according to the following schedule:
- 1. Minutes, bonds, oaths of officials, zoning ordinances, master or comprehensive plans, other records of decisions, Commission or department publications: Permanent.
  - 2. Correspondence: Permanent.

## 7. Committees

**A. 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.

**B. Citizen Advisory Committees.** The Commission or Chair may establish and appoint citizen advisory committees with the consent of the Commission. Membership can be any number, so long as less than a quorum of the Commission serves on a citizen advisory committee at any given time. The purpose of the citizen advisory committee is to have more citizen and municipal government involvement, to be able to use individuals who are knowledgeable or expert in the particular issue before the Commission and to better represent various interest groups in Lodi Township.

## 8. 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.** The same principles of these Bylaws for the Commission also apply to all committees of the Commission including, but not limited to:

- 1. Officers. Officers of committees are appointed by the Chair of the Commission at the time the committee is created, or are elected by the committee's membership at their first meeting. Officers, at a minimum, include a Chair and Secretary-ViceChair.
- 2. Quorum. A committee's quorum shall be at least half the total appointed membership of the committee.
- 3. Voting. Only those 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 consecutively scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the Commission to remove any member from the 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 consecutively scheduled meetings so the Commission may consider removal of the individual from the committee or excuse the absence(s).

5. Minutes. The Secretary-Vice-Chair of the committee shall keep minutes of the committee meetings in the same format used by the Commission and filed in the same office as the Commission's minutes.

6. Staff. Committees have reasonable use of Planning Consultant staff time and assistance and direction for performing the work of the committee.

7. Public. All committee meetings are open meetings available for public attendance and participation and minutes of the meetings are to be available for public inspection under the same principles found in P.A. 267 of 1976, as amended, (being Michigan Open Meetings Act, M.C.L. 15.261 et seq.). All committee meetings shall be posted pursuant to the requirements of the Open Meeting Act.

8. Subcommittees. Citizen advisory committees may form subcommittees from their own membership and/or with additional citizens when deemed necessary. Subcommittees are subservient to the parent committee. Subcommittees are informal, not requiring quorums, attendance requirements, minutes, or public participation, but should be open and subject to the Open Meeting Act. Subcommittee membership shall consist of less than half the parent committee's membership.

## **9. Mileage and Per Diem**

Mileage and per diem shall be paid to members of the Commission according to policies established by resolution of the Township Board of Trustees. To request reimbursement for mileage and per diem, a member must submit the request in writing to the Township Clerk, along with appropriate documentation to support the request.

## **10. Public Hearings**

**A. Plan Hearings.** Before the adoption of any part of a Master Plan or subplan, as defined in the Planning Act, or any amendment to a Master Plan or subplan, or recommending approval of a Master Plan or subplan or amendment to the Lodi Township Board of Trustees, the Commission shall hold a public hearing on the matter and comply with the requirements of the Planning Act, the Zoning Act, and the Lodi Township Zoning Ordinance. Notice of the time and place of the hearing shall be given, not less than 15 days prior to such hearing, by at least one publication in a newspaper of general circulation.

**B. Special Hearings.** Notice of special hearings for the purposes of presenting 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, and as required by the Planning Act, Zoning Act, and the Lodi Township zoning Ordinance.

**C. Other Public Hearings.** Notice of Public Hearings required by the Planning Act, the Zoning Act, or the Lodi Township Zoning Ordinance shall be given according to the requirements of those Acts and/or Ordinance.

## **11. 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, the Lodi Township Zoning Ordinance, and other applicable Ordinances. At least one public hearing shall be held on each proposed zoning ordinance or amendment, with notices given as specified in the Lodi Township Zoning Ordinance and the Zoning Act. After the hearing, action shall be in the form of a recommendation to the Lodi Township Board of Trustees. At a minimum the recommendation shall include:

1. Zoning plan for the areas subject to zoning, or zoning amendment to the Lodi Township Zoning Ordinance;
2. The establishment of or modification of zoning districts, including the boundaries of those districts, if applicable;
3. The text of a zoning ordinance or amendment with the necessary maps and zoning regulations to be adopted for a zoning district or the zoning jurisdiction as a whole; and
4. The manner of administering and enforcing the zoning ordinance.

**B. Special Use Permit.** The Commission shall review and act on all special use permits pursuant to the Zoning Act and the Lodi Township Zoning Ordinance. At least one public hearing shall be held on each application for a Special Use Permit, with notices given as specified in the Lodi Township Zoning Ordinance and the Zoning Act. After the hearing, action shall be in the form of a motion which contains (and is included in the minutes) a finding of fact, conclusions as to a list of reasons for the action, and the Commission's action, pursuant to section 5.E.2 of these Bylaws.

**C. Site Plan Review.** The Commission shall review and act on all site plans for which the Lodi Township Zoning Ordinance requires Commission action. Action shall be in the form of a motion which contains (and is included in the minutes) a finding of fact, conclusions as to a list of reasons for the action, and the Commission's action, pursuant to section 5.E.2 of these Bylaws.

**D. Appeals.** The Commission shall not act, or otherwise hear issues on zoning ordinance interpretation, zoning map interpretation, or variances. Such matters shall be exclusively the jurisdiction of the Zoning Board of Appeals, as provided in the Lodi Township Zoning Ordinance.

## 12. Plan Reviews

**A.** The Commission shall review all adjacent, or contiguous, government Master Plans and Master Plan amendments (township, village, and city) and Washtenaw County plans received by the Commission.

**B.** Action shall be in the form of a motion which contains (and is included in the minutes) a finding of fact, conclusions as to a list of reasons for the action, and the Commission's advisory action, pursuant to section 5.E.2 of these Bylaws.

**C.** The review should focus on:

1. First and foremost, the process is intended to increase coordination of planning between governments.
2. Consistencies or inconsistencies with Lodi Township's plan(s) for matters such as: 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.

**D.** The review shall be in the form of a letter (written by the Secretary or a person designated by the Secretary) and shall take into account:

1. Respect for the idea that the submission and review stages are near the end of a plan adoption process. A community may be ready to adopt and others may be waiting for the task to be done. Do not extend the adoption more than necessary.
2. Focus only on significant issues, in a clear and well documented way. Suggest solutions rather than only pointing out what is wrong.
3. Be clear and document statements to improve the quality of planning for the entire area. This process is to improve coordinated planning, not to undermine relationships or exacerbate tensions between governments. Page 12 of 13
4. Include mutual respect of others, so the comments are factual, objective, and based on sound planning principles.

**13. Capital Improvements Review** The Planning Commission may make recommendations to

the Lodi Township Board of Trustees for any capital improvements that may be necessary or desirable for the health, safety, or welfare of Lodi Township.

## **14. Subdivision Review**

**A.** Prepare a Subdivision Ordinance (and/or Subdivision, Land Division, Site-Condominium Ordinance), or amendments to the same, to submit to the Lodi Township Board of Trustees for approval.

**B.** Proposed Subdivisions.

1. The Lodi Township Clerk is to receive a plat and forward it to the Planning Consultant to determine whether 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. Conduct a review of plats of proposed subdivisions (and/or site-condominium).

3. Hold a public hearing on a proposed subdivision (and/or site-condominium) with notice of the hearing sent not less than 15 days before the date of the hearing.

a. The notice shall contain an explanation of what the hearing is for, the location and nature of the proposed development, the date, time, and place of the hearing, where written comments may be submitted, and the deadline for those written comments.

b. The notice shall be sent to the person indicated on the plat (and/or draft site-condominium master deed) as the proprietor or other person(s) to whom notice of the hearing shall be sent, the property owner, and adjacent property owners.

c. The notice shall be published in a newspaper of general circulation in Lodi Township not less than 15 days before the date of the hearing.

d. Any others as required by the Subdivision Ordinance (and/or Subdivision, Land Division, Site-Condominium Ordinance).

4. Within 63 days of a complete plat (and/or draft site-condominium master deed) being submitted, act on the proposed subdivision (and/or site-condominium) in the form of a recommendation of approval, approval with conditions, or disapproval to the Lodi Township board of Trustees.

a. If applicable standards under the Land Division Act (M.C.L. 560.101 et seq.), Condominium Act (M.C.L. 559.101 et seq.) if applicable, and Subdivision Ordinance (and/or Subdivision, Land Division, Site-Condominium Ordinance), the Commission shall recommend approval.

b. Grounds for any recommendation of disapproval of a plat (and/or Site-Condominiums) shall be stated upon the record of the Commission.

c. If the Commission does not act within the 63-day period, the plat (and/or Site-Condominiums) shall be considered to have been recommended for approval, and a certificate to that effect shall be issued by the Commission upon request of the applicant. The applicant may waive the 63-day period and grant an extension.

**C.** Master Plan Amendment.

Commission approval of a subdivision shall be considered to be an amendment to the master plan and a part thereof. The Commission shall cause the official copies of the master plan to be modified to reflect the amendment to the master plan within 30 days of the subdivision approval.

## **15. Other Matters to be considered by the Commission**

The following matters shall be presented for consideration at a meeting of the Commission:

**A.** At least annually, the adoption of priorities for the Commission's Plan of Work.

**B.** Annually, preparation of an annual report of the Commission.

**C.** Office, or Administrative Policy and ruling of interpretation of regulations by the Commission or its staff.

- D.** The general character, extent and layout of the replanning and redevelopment of blighted districts and slum areas.
- E.** Land subdivision plats.
- F.** All Planning reports and plans before publication.
- G.** Recommendation for selection of consultants.
- H.** Periodic review of the Bylaws of the Commission.

## **16. Adoption, Repeal, Amendments**

- A. Upon adoption of these Bylaws of [date], they shall become effective, and all previous Bylaws shall be repealed.
- B. The Commission may suspend any one of these Bylaws, for a duration of not more than one agenda item or meeting by a majority vote of the members present.
- C. These Bylaws may be amended at any regular or special meeting by a two-thirds ( $\frac{2}{3}$ ) vote of the members present.