

Village of Blissfield Planning Commission Bylaws

Adopted January 3, 1983, October 7, 1991, July 6, 1998

Amended November 8, 2021

1. Name and Purpose.

- a. The name shall be the Village of Blissfield Planning Commission, hereafter known as the “Commission”.
- b. The following rules of procedure are hereby adopted by the Village of Blissfield Planning Commission to facilitate the performance of its duties as outlined in Act P.A. 33 of 2008 as amended (being the Municipal Planning Act, M.C.L. 125.31 et seq.).

2. Membership.

- a. Members. Members of the Commission are appointed by the Village of Blissfield pursuant to Title 216.000 Zoning Ordinance Article XVIII Planning Commission Approval of 2009, as amended.
 - i. Each member shall represent and advocate what is best for the Village of Blissfield as a whole, putting aside personal or special interests.
 - ii. One member shall be a member of the Village Council serving on the board as a representative of the Governing Body.
- b. Liaisons. The purpose of liaisons is to provide certain Village of Blissfield officials and quasi-officials the ability to participate in discussions with the Commission, in addition to speaking in public participation, and nothing else. Liaisons cannot vote, introduce motions, initiate any other parliamentary action, be counted for a quorum, or be expected to comply with attendance requirements pursuant to Section 2.c of these bylaws.
- c. Attendance. If any member of the Commission is absent from three consecutive regularly scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the Village of Blissfield to remove a member from the Commission for nonperformance of duty, or misconduct, 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 Village of Blissfield whenever a member of the Commission is absent from three

consecutive regularly scheduled meetings, so the Village of Blissfield can consider further action allowed under law or excuse the absences.

- d.* Conflict of Interest and Incompatibility of Office. Each member of the Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall be a minimum include, but not necessarily be limited to, the following:
- i. Issuing, deliberating on, voting on, or reviewing a case concerning the member;
 - ii. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by the member or which is adjacent to land owned by the member;
 - iii. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which the member is part owner, or any other relationship where they may stand to have financial gain or loss;
 - iv. Issuing, deliberating on, voting on, or reviewing a which is an action which results in a pecuniary benefit to the member;
 - v. Issuing, deliberating on, voting on, or reviewing a case where the member's employee or employer is:
 1. An applicant or agent for an applicant, or
 2. Has a direct interest in the outcome.
 - vi. If there is a question whether a conflict of interest exists or not, the questions shall be put before the Commission. Whether a conflict of interests exists or not shall be determined by a majority vote of the remaining members of the Commission.
 - vii. When a conflict of interests 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:
 1. Declare a conflict of interest exists at the next meeting of the Commission or committee;
 2. Cease to participate at the Commission or committee meetings, or in any other manner, or represent one's self before the Commission, its staff or others;
 3. 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 has concluded.

- viii. If a member of the Commission is appointed to another office, which is an incompatible office with their membership of 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 their 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. Members shall avoid Ex Parte contact about cases where an administrative decision is before the commission whenever possible.
 - i. Despite one's best efforts it is sometimes not possible to avoid Ex Parte contact. When that happens, the members should take detailed notes on what was said and report to the Commission at a public meeting or herein what was said, so that every member and other interested parties are made aware of what was said.
- b. Site Inspections. 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.
- c. Not Voting on the Same Issue Twice. Any member of the Commission shall avoid situations where they are sitting in judgement and voting on a decision which they had part in making. As used here, sitting in judgement and voting on a decision which they had part in making, at a minimum shall include, but not necessarily limited to the following:
 - i. When the appeal is of an administrative or other decision by Commission and the member of the Commission sits on both the Commission and the Zoning Board of Appeals;
 - ii. When the case is an administrative decision which was decided by the Commission and sent to the Village Council for further action, and the member of the Commission sits on both the Commission and the Village Council.
- d. Accepting Gifts. Gifts shall not be accepted by a member of the Commission or liaisons from anyone connected with an agenda item before the Commission.
 - i. This section does not apply to the Commission accepting gifts for the exercise of its functions pursuant to M.C.L. 125.3823(3), §23(3) of the Planning Act.

- e. Spokesperson for the Commission. Free and open debate should take place on issues before the Commission. Such debate shall only occur at meetings of the Commission. 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 the open meeting of the Commission.

4. Officers.

- a. Selection. At the first regular meeting in December after the Village Council makes its appointments, the Commission shall select from its membership a Chair, Vice Chair and Secretary. It is not required that the secretary be a member of the Commission. All officers are eligible for re-election.
- b. Tenure. The Chair, Vice Chair, and Secretary shall take office immediately following their selection and shall hold office for a term of one year or until their successors are selected and assume office.
- c. Chair Duties. The chair retains their ability to discuss, make motions and vote on issues before the Commission. The chair shall:
 - i. Preside at all meetings with all powers under parliamentary procedure;
 - ii. 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;
 - iii. Appoint committees and their respective officers or let the committees select their own officers;
 - iv. Act as an ex-Officio member of all committees of the Commission;
 - v. Perform such other duties as may be ordered by the Commission.
- d. Vice Chair Duties. The Vice Chair shall:
 - i. Act in the capacity of Chair, with all powers and duties found in Section 4.c of these bylaws, in the Chair's absence;
 - ii. Perform such other duties as may be ordered by the Commission.
- e. Secretary's Duties. The secretary shall:
 - i. Execute documents in the name of the Commission;
 - ii. Be responsible for the minutes of each meeting;
 - iii. All communications, petitions, and reports shall be addressed to the Planning Commission and delivered or mailed to the Secretary
 - iv. Keep attendance records pursuant to Section 2.c of these bylaws;

- v. 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.
- vi. Prepare an agenda for Commission meetings pursuant to Section XXX of these bylaws;
- vii. Shall prepare an annual meeting calendar for the regular January meeting each year, and prepare a roster of Planning Commission members at any time a change of membership occurs;
- viii. Shall prepare a packet of information for each new Planning Commission member, such as copies of: Zoning Ordinance, Comprehensive Plan, Meeting Calendar, Bylaws, Roster of Members, Subdivision Ordinance, and previous months minutes for background information and any other necessary information;
- ix. Perform such other duties as may be ordered by the Commission.

5. Meetings.

- a. Regular Meetings. Meetings of the Commission will be held the first Monday of every month at 7 p.m. in the Village of Blissfield Council Chambers located at 130 S. Lane St. Blissfield, MI 49228. An annual notice or regularly scheduled meetings shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 et seq.)
 - i. When the regular meeting day falls on a legal holiday, the Commission shall select a suitable alternate day in the same month.
- b. Special Meetings. Special meetings shall be called at the request of the Chair, or any two members of the Commission.
 - i. Notice of special meetings shall be given by the secretary to the members of the Planning Commission at least forty-eight (48) hours prior to such meeting and shall state the purpose and time of the meeting. In addition, all 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. Public. All regular and special meetings, hearings, records, and accounts shall be open to the public.
- d. Quorum. A majority of the total number of members shall constitute a quorum for the transaction of business and taking of official action for all matters
 - i. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.

- e. Motions. Motions shall be restated by the Chair before a vote is taken.
 - i. Findings of Fact. 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 municipalities proposed plan, review and submission on a capital improvement) shall include each of the following parts:
 1. A finding of fact, listing what the Commission determines to be relevant facts in the case in order to eliminate misleading statements, heresy, irrelevant, and untrue statements.
 2. Conclusions to list reasons based on the facts for the Commissions action, often directly related, or not, to a finding of compliance, or noncompliance, to standards.
 3. The Commission’s action; recommendation or position, approval, approval with conditions, or disapproval.
 - ii. Voting. Voting shall be by voice and shall be recorded as passing or failing. Roll call votes will be recorded only upon request by a member of the Commission and shall be recorded by “yes” or “no”. Members must be present to cast vote unless participating remotely as allowed by P.A. 267 of 1976, as amended, (being Michigan Open Meetings Act M.C.L. 15.261 et seq.).
 1. Voting by proxy shall not occur.
 2. 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.
 3. The affirmative vote of two-thirds (2/3) 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 plan or amendment to a plan.
 - iii. Parliamentary Procedure. Parliamentary procedure in Commission meetings shall be informal. However, if required to keep order, Commission meetings shall then be governed by Robert’s Rules of Order for issues not specifically covered in these bylaws. Where these bylaws conflict with Robert’s Rules of Order, then these bylaws control.
- f. Agendas. The agenda and accompanying materials shall be emailed to Commission members so it is reasonably expected to be received prior to the weekend prior to the regular meeting date.

6. Order of Business. The order of regular meetings shall be:
 - a. Roll Call
 - b. Approval of Minutes
 - c. Matters pertaining to the citizens present at the meeting
 - i. 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.
 - ii. Persons requested by the Commission to attend the meeting
 - iii. Other public participation for items on this agenda
 - d. Unfinished Business
 - e. New Business
 - f. Public participation for items not on this agenda
 - g. Village Administrator or Staff Reports
 - h. Communications
 - i. Adjournment

7. Hearings.
 - a. Plan Hearings. Before the adoption of any part of a plan, as defined by the Planning Act, or any amendment to a plan, or recommending approval of an amendment to the Village Council, the Commission shall hold a public hearing on the matter. Notice of the time and place of the hearing shall be given, not less than fifteen (15) days prior to such hearing, by at least one publication in each newspaper of general circulation.
 - b. Special Hearings. Notice of special hearings for the purposes of presenting preliminary mater 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 relevant local zoning ordinance.
 - c. Notice of Decision. A written notice containing the decision of the Commission will be sent to petitioners and originators of a request for the Commission.

8. Zoning Responsibilities. All powers of the zoning commission have been transferred to this Commission, pursuant to M.C.L. 125.3301 of the Zoning Act.
 - a. Zoning Adoption or Amendment. 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 in the zoning ordinance and the Zoning Act. After the hearing, action shall be in the form of a recommendation to the legislative body.

- b.* Special Land Uses. The Commission shall review and act on all special land use permits pursuant to the Zoning Act and Zoning Ordinance. At least one hearing shall be held on each proposed zoning ordinance amendment, with notices given as specified in the zoning ordinance and the Zoning Act. After the hearing action shall be in the form of a motion which contains (or 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 of these bylaws.
- c.* Site Plan Review. The Commission shall review and act on all those site plans which zoning ordinance requires Commission action. Action shall be in the form of a motion which contains (or 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 of these bylaws.
- d.* Appeals. The Commission shall not act, or otherwise hear issues on zoning ordinance interpretation, zoning map interpretation, non-use variances, or use variances. Such matters shall be exclusively the jurisdiction of the Zoning Board of Appeals.

9. Capital Improvements Program (CIP). Annually a CIP of public structures and improvement shall be adopted.

- a.* The Commission shall review the CIP
 - i.* The review shall include each project to determine conformance of the projects with community plans, and objectives and goals of the community.
- b.* The Commission shall hold a public hearing on the CIP.
- c.* After the hearing the Commission shall formally adopt the CIP in the form of a recommendation to the Governing Body for adoption.

10. Subdivision Review. Commission shall review complete subdivision applications.

- a.* Shall hold a hearing on a proposed subdivision with notice of hearing sent not less than fifteen (15) days before the date of the hearing.
 - i.* Notice shall include: explanation of hearing, location of proposed development, date, time, place of hearing, where written comments may be submitted and deadline for those comments.

- ii. Notice shall be submitted to the applicant, the property owner and adjacent property owner(s) and any others as required by Subdivision Ordinance.

11. Other Matters to be Considered by the Commission.

- a. Annual Report. Preparation of an annual report of the Commission to be presented to Village Council in January including a summary of items from the previous year and projected upcoming years activities/projects and any recommendations to the Village Council.
- b. Capital Improvement Projects. The removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any public way, grounds, open spaces, buildings or properties.
 - i. Action should be in the form of a motion which contains (or is included in the minutes) finding of fact, conclusions as to a list of reasons for the action, and the Commissions advisory action.
 - ii. When reviewing the proposed project, the Commission should at minimum consider the following issues:
 - 1. Is the project consistent with adopted plans?
 - 2. Is the project consistent with capital improvement plans?

12. Amendments. These rules may be amended at any regular or special meeting by a two-thirds (2/3) vote of the members present.

- a. Upon adoption of these bylaws of DATE, they shall become effective and all previous bylaws, shall be repealed.