

**City of Grayling  
Planning Commission  
Bylaws**

The following rules of procedure are hereby adopted by the City of Grayling Planning Commission to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq.

**Sec. 1 Composition.**

The commission shall consist of seven (7) members of which two member may be non- qualified electors of the City and such ex-officio members as the chief administrative official and one member of the City Council.

The membership of a Planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, health and social development of the City, in accordance with the major interests as they exist in the City, such as natural resources, recreation, education, public health, government, tourism, industry, and retail. The membership shall also be representative of the entire geography of the City to the extent practicable.

**Sec. 2 Appointment and compensation of members.**

The members of the commission shall be appointed by the mayor, subject to the approval of the city council. All members of the commission may be compensated at a rate to be determined by the city council. Elected officials or employees of the City are ineligible for membership except that one member may be a member of the City Council and one member may be the chief administrative official of the City. Members are ineligible for re-appointment unless they have attended education programs designed for training members of Michigan Planning Commissions.

**Sec. 3 Terms of office.**

The terms of office for each non-ex officio member shall be three years, except that three members of the first commission shall serve for the term of one year, two for a term of two years and two for a term of three years. All members shall hold office until their successors are appointed. Commission terms for members from the city council and zoning board of appeals end with their term from the city council. All other terms expire at the end of the calendar year. Members may be removed for misfeasance, malfeasance, or nonfeasance of office, upon written charges and after a public hearing, by the City Council.

#### **Sec. 4 Vacancies.**

Vacancies occurring on the commission shall be filled for the unexpired term by appointment by the mayor, by and with the approval of a majority of the members of the city council. A member shall hold office until a successor is appointed.

To be excused, members of the planning commission shall notify the planning commission chairperson or other planning commission member when they intend to be absent from a meeting.

Failure to make this notification prior to the meeting shall result in an unexcused absence.

Three (3) consecutive unexcused absences, could result in removal on the commission. No member shall owe any delinquent items to the City or State. If so, the member will be removed from the Planning Commission effective immediately.

A member may resign from the planning commission by sending a letter of resignation to the city council.

#### **Sec. 5 Officers.**

The planning commission shall at its first regular meeting in January, elect from its members a chair, vice chair, and secretary, and it shall create and fill from the same membership additional officers that may be deemed necessary. The term of officers shall be 1 year with an opportunity for re-election. No member ex-officio shall be allowed to hold office as chair, vice-chair or secretary.

**Chairperson**—The chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the planning commission.

**Vice Chairperson**—The vice chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of chairperson becomes vacant, the vice chairperson shall succeed to this office for the unexpired term, and the planning commission shall select a successor to the office of vice chairperson for the unexpired term.

**Secretary**—The secretary shall execute documents in the name of the planning commission and shall perform such other duties as the planning commission may determine. The City Clerk/Deputy Clerk shall act as Secretary for the commission, in the absent of the City Clerk/Deputy Clerk a member of the commission shall be appointed to take the minutes of the meeting.

1. **Minutes**—The secretary shall be responsible for maintaining a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records maintained by the City clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
2. **Correspondence**—The secretary shall be responsible for issuing formal

written correspondence with other groups or persons, as directed by the planning commission. All communications, petitions, reports or other written materials received by the secretary shall be brought to the attention of the planning commission.

3. **Attendance**—The secretary shall be responsible for maintaining an attendance record for each planning commission member.
4. **Notices**—The secretary shall oversee the issuance of such notices as may be required by the planning commission, including Open Meetings Act notices, as well as notice required for specific planning or zoning actions under the Michigan Planning Enabling Act or the Michigan Zoning Enabling Act.)

### **Sec 6 Meetings.**

The business the planning commission performs shall be conducted at a public meeting held in compliance with the Open Meetings Act. The planning commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

- (a) The commission shall meet in regular session at least four times a year at a time and place that has been selected by resolution vote of its members. Notice of regular planning commission meetings shall be posted at the principal City office within 10 days after the planning commission's first meeting in each calendar year in accordance with the Open Meetings Act.
- (b) The City Council, City Manager, the chairman, or any three members of the commission shall have the authority to call a special session of the commission. Notice of the special session shall be given to all members at least 48 hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act.
- (c) All regular and special meetings or sessions shall be noted and conducted in accordance with Public Act No. 267 of 1976 (MCL 15.261 et seq.), being called the open meetings act, and any person having business to be considered at such meeting shall be entitled to hearing in accordance with the terms of said act.
- (d) Notice required for specific planning, zoning or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, Land Division Act, or other applicable statute.
- (e) All public hearings held by the planning commission must be held as part of a regular or special meeting of the planning commission.
- (f) The chairperson shall be responsible for preparing a tentative agenda for planning commission meetings. The agenda may be modified by action of the commission.

(g) Four members of a seven-member of the planning commission shall constitute a quorum for transacting business and taking official action for all matters. No official action of the commission may be taken without a quorum present.

(h) An affirmative vote of the majority of the members of the planning commission is required to approve any part of the master plan or amendments to the plan or to amend these bylaws. Unless otherwise required by statute, other actions or motions placed before the planning commission may be adopted by a majority vote of the members present and voting, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member or directed by the chairperson. Except in the case of conflict of interest, all planning commission members, including the chairperson and ex officio member, shall vote on all matters.

(i) The commission shall keep a record of all actions, findings and determinations, which shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

## **Sec. 7 Conduct of Members.**

Failure to repeatedly attend commission meetings shall be considered nonfeasance in office.

An appointed member shall respect, adhere to, and help enforce the rules, policies, and bylaws established by the Planning Commission.

An appointed member of the Planning Commission shall disclose a potential conflict of interest to the planning commission before casting a vote on the matter. The member shall then be disqualified from voting on the matter by a majority vote of the remaining members. Failure of a member to disclose a conflict of interest constitutes malfeasance in office.

Conflict of interest is defined as, and a planning commission member shall declare a conflict of interest and abstain from participating in planning commission deliberations and voting on a request, when:

1. An immediate family member is involved in any request for which the planning commission is asked to make a decision. "Immediate family member" is defined as

Definition : A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, and their spouses, grandparents, parents in-law, grandparents in-law, and a relative of any degree residing in the same household as that individual.

2. The planning commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association or the planning commission member owns or has a financial interest in neighboring property.

For purposes of this section, a neighboring property shall include any property

- falling within the notification radius for the application or proposed development, as required by the zoning ordinance or other applicable
3. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the planning commission.

An appointed member shall respect, adhere to, and help enforce the rules, policies, and bylaws established by the Planning Commission.

### **Sec. 8. Powers and duties.**

The Commission shall have their powers and duties as set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 et seq.; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 et seq.) and shall have the following powers and duties:

- (1) To approve the city's master plan and to make amendments to the same.
- (2) To confer with and advise the city council on all matters concerning the planning and development of the city.
- (3) To encourage proper zoning and orderly development of the city.
- (4) To periodically survey the overall condition of the city from the standpoint of zoning and planning and to make recommendations to the city council in this regard.
- (5) To conduct site plan reviews for all industrial, commercial and multifamily residential zoning applications.
- (6) To aid the city council in the attraction of new industries and businesses and in the encouragement of expansion of existing industries and businesses in the city.
- (7) To approve and/or make recommendations on all applications for planned unit developments, special land uses and conditional land uses.
- (8) To review any proposed plat of a subdivision or development of and/or request for rezoning, within the city, when deemed necessary by the city council. To recommend approval, approval with conditions, or disapproval within 63 days of receiving a plat.
- (9) To review requests for zoning variances and special exceptions and advise the zoning board of appeals in this regard, when deemed necessary by the zoning board of appeals.
- (10) To make recommendations to the city council concerning capital improvement programs, by annually preparing a capital improvements program for all types of public structures and improvements, in order of

priority, which the planning commission believes will be needed or desirable and can be undertaken within the next 6 years.

- (11) To prepare an annual report for the City Council.
- (12) To make use of maps, data, and other information and expert advice provided by federal, state, regional, county, and municipal officials, departments, and agencies. All public officials, departments, and agencies shall make available public information for the use of planning commissions and furnish such other technical assistance and advice as they may have for planning purposes.

The powers and duties of the planning commission shall not conflict with or supersede the powers or duties of the city council or other commissions or boards.

**Sec. 9. Expenditures; appropriations.**

(a) Expenditures of the planning commission, exclusive of gifts, shall be within the amounts made available by appropriation by the city council, which said council shall determine the funds necessary for the planning commission work. Neither the planning commission, nor any member thereof, shall incur any financial liability in the name of the city.

(b) Compensation and expenses are to be paid at a rate to be determined by the city council.

**Sec. 10. Amendments**

These bylaws may be amended at any meeting by a vote of the majority of the membership of the planning commission.

Adopted by the City of Grayling Planning Commission at a regular meeting held on February 18, 2014.

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Jon Williamson, Chair

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Lisa Johnson, Secretary (City Clerk)