

CHARTER TOWNSHIP OF WATERFORD PLANNING COMMISSION DUTIES, POLICIES, AND PROCEDURES

ARTICLE I - PLANNING COMMISSION DUTIES

The Planning Commission shall:

- Section 1.** Advise the Township Board on matters relating to the physical and environmental development of the Township. Its recommendations shall consider the impact which such development may have on the physical, social, economic and environmental condition of the Township.
- Section 2.** Furnish the Township Board with reports and recommendations on ordinances, ordinance amendments, annexations, zoning changes, subdivisions, resolutions, any other matters required by law, or any other matters requested by the Township Board or deemed important by the Planning Commission.
- Section 3.** Prepare and update a Township Master Plan as a guide for development of the Township.
- Section 4.** Review and make decisions or recommendations on matters requiring such actions in accordance with the land use and development applications and procedures as provided by the Waterford Township Zoning Ordinance or Waterford Code of Ordinances.
- Section 5.** Review and provide recommendations on proposed public parks, buildings and structures.
- Section 6.** Promote public understanding and awareness of planning, the Master Plan, and the other activities of the Commission.
- Section 7.** On an annual basis, provide the Township Board with a written report concerning the Commission's operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development. Recommendations and reports provided to the Township Board under Section 1 and Section 2 of this Article, or monthly reports of the Zoning Official on planning activities, may be relied on in satisfying this annual reporting requirement.

ARTICLE II - PLANNING COMMISSION POLICIES AND PROCEDURES

- Section 1.** The Commission shall meet in regular session at Township Hall, or as otherwise designated by the Commission. The starting time of such meetings shall be identified by the Commission as part of the regular meeting schedule established each calendar year in accordance with the Commission's by-laws. All meetings of the Commission which will include public hearings may, upon the decision of the Chairperson, begin one half hour prior to the regular meeting time to provide time for a Commission Public Hearing Case Review.
- Section 2.** The Commission, by policy, intends to limit the length of meetings to a reasonable time. Therefore, no agenda item will be taken up by the Commission three (3) hours after the starting time of the regular meeting, except by consent of four (4) Commissioners present. In those cases where agenda items are not completed, they will be placed as an Old Business item on the agenda for the next regular meeting of the Commission.
- Section 3.** Special meetings may be called by the Commission subject to the provisions of the Commission's by-laws. By policy, the Commission intends to limit special meetings to discussion of long range planning, policy development or ordinance review/amendment issues. Land use and development review procedures requiring Planning Commission review and approval, or recommendation, in accordance with the Zoning Ordinance or the Waterford Code of Ordinances are not considered cause for calling a special meeting except where provided by the Commission's by-laws.
- Section 4.** For all meetings of the Commission, the following shall be observed:
- a. The public shall receive proper legal notice as to time and location of public hearings as required by law.
 - b. The agenda for all meetings shall be published on the Township's website prior to the meetings.
 - c. The Commission shall develop and maintain "participation guidelines" for their meetings. The participation guidelines shall be made available at each meeting of the Commission.
 - d. All subject matter shall be limited to the topic under consideration and shall be in accordance with the "Planning Commission Participation Guidelines".
 - e. Commission response to public and petitioner comments shall be confined to clarification of presented facts.
 - f. At the discretion of the Chairperson, or majority of members present, public hearings may be continued to another date.
 - g. Commission meetings shall be conducted in accordance with the Commission's by-laws and these Duties, Policies and Procedures.
 - h. By a written showing of reasonable cause received by the Zoning Official by 4:00 p.m. at least eight (8) calendar days before a scheduled meeting, an applicant may request postponement of a case. Upon finding the cause given to be reasonable, the Zoning Official shall remove the case from the agenda, and reschedule the case to the next regular meeting. If the Zoning Official does not find the cause given is reasonable, or a longer postponement is requested, Planning Commission approval is required. Applicants must confirm whether the Zoning Official has approved a postponement. No more than two postponements may be requested and approved.
 - i. The Planning Commission may hear and decide any case that is not postponed, and except for unforeseen emergencies and/or unique situations, will hear and decide cases no later than the 3rd meeting for which they are scheduled, with or without the applicant present. In its discretion, the Commission may decide the case on the merits or may dismiss the case for lack of progress/presentation.
 - j. By requesting postponement, an applicant agrees to pay postponement fees based on costs of republication, renotification, copying and other expenditures of time, money and materials by the Township that result from rescheduling. Applicants whose cases are dismissed for lack of progress/presentation shall receive no credit or refund of fees paid in connection with that case.

Article II cont.

- Section 5.** The consent agenda section of the Commission's meeting agenda order of business is intended to provide the Commission with summary information from the Zoning Official on all administrative planning reviews. The Commission may accept the consent agenda as submitted, it may accept a portion of the consent agenda as submitted and instruct the Zoning Official that the Commission wishes to conduct a Planning Commission review and approval of the remaining consent agenda item(s), or the Commission may accept the consent agenda with stipulations for the Zoning Official to incorporate into the final administrative review actions.
- Section 6.** Persons wishing to address written communications to the Commission or Zoning Official are invited to do so. All written communications regarding items before the Commission should be directed to the Zoning Official, who will distribute copies to the Commission. Communications should be sent with sufficient time to ensure their due consideration prior to any action by the Commission. Commissioners may request that the contents of certain communications be read before the Commission and any such communication will be considered a public record subject to disclosure.
- Section 7.** The provision of time for the public to address the Commission on specific planning-related topics shall be established on the agenda in accordance with the Commission's by-laws. The Commission through its Chairperson may limit remarks to no less than three (3) minutes per person.
- Section 8.** Agendas, files and related information on items before the Commission shall be available to the public at the office of the Zoning Official during normal business hours.
- Section 9.** Whenever possible, the Zoning Official shall advise persons known to be involved in a particular matter of any changes in procedure or scheduling which occur after preparation of the agenda.
- Section 10.** Except by unanimous consent of the members present, the Commission shall not consider, discuss or take any action on matters not appearing on the Commission's prepared agenda.
- Section 11.** On matters requiring public hearing, the Commission may take action during the same meeting, or the matter may be deferred by the Chairperson or a majority of the members present.
- Section 12.** The Commission shall maintain public records of its resolutions, transactions, findings, determinations, decisions and meetings. Files, minutes and records shall be located in the office of the Zoning Official and open to the public during normal business hours, except for closed session minutes.
- Section 13.** The Planning Commission requires constructive, periodic reports regarding the status of planning matters under consideration from the Zoning Official.
- Section 14.** The Planning Commission expects the Zoning Official to communicate its positions to the Township Board and to provide assistance to the Commission at other times as requested.
- Section 15.** The Zoning Official is expected to prepare studies, reports and reviews as necessary to adequately address issues before the Commission or anticipated for Commission review or action.
- Section 16.** The Zoning Official shall ensure that all applicants submitting requests to be considered by the Planning Commission will grant temporary access to the subject property during the time period that the request is being considered to allow the Planning Commissioners to review and inspect the subject property in person prior to a decision being made by the Commission.

ARTICLE III - PLANNING COMMISSION BEHAVIOR AND ETHICS

Section 1. Members of the Commission are appointed by the Supervisor with the approval of the Township Board. Membership on the Commission shall be accepted as a public service.

Section 2. Commission members shall receive a per diem, as determined by the Township Board, for attending meetings of the Planning Commission.

Section 3. The Commission recognizes that in the performance of its duties, matters will be presented and considered upon which one or more members may have or perceive that they have a conflict of interest due to economic, personal or other reasons, the existence of which will or may be perceived by other members of the Commission or general public as having the potential for interfering or influencing the member's unbiased consideration and vote. It is the policy of the Commission to require and encourage a full and accurate disclosure of such conflicts or potential conflicts at the earliest possible time so that the Commission may determine whether a member may or should abstain from participation and voting.

Consistent with this policy, each member has a duty to disclose any conflicts or potential conflicts and the relevant facts to the extent it does not violate a confidence, to the Commission at the first meeting at which the matter creating the potential conflict is considered. The member's disclosure shall include an indication of whether the potential conflict disclosed will interfere or influence their consideration and vote and whether the member wishes to be permitted to abstain from voting.

After a disclosure of potential conflict is made by a member and discussed by the Commission, whether the member may or shall abstain from discussion and voting shall be decided by motion and majority vote of the members in attendance at the meeting.

If a majority of the Commission votes to allow the Commissioner disclosing the potential conflict to abstain from discussion and voting, the Commissioner disclosing the potential conflict shall leave the room in which the meeting is taking place until such time as the Commission has completed discussion and voting on the matter related to the potential conflict.

Any questions or claims that a member has failed to disclose a potential conflict of interest shall be presented at the first meeting when the matter alleged to create the conflict is considered by the Commission. If such questions or claims are made, and after the member with the alleged conflict has had the opportunity to respond, which shall include a statement on whether they wish to vote or abstain, the Commission shall resolve the claim and the member's voting rights by motion to permit or require the member to abstain from consideration and voting. If the member has indicated a desire to participate and vote on the matter, a concurring vote of at least four (4) members of the Commission is required to prohibit said participation and voting.

Section 4. A Commission member shall not personally appear before the Commission as a petitioner or as a representative of a petitioner during the member's term of office.

Section 5. With the exception of the Chair, a Commission member shall not indicate representation of the Commission when speaking to individuals, groups or organizations on general Commission matters unless authorized by the Commission to do so. When speaking for personal purposes, the Commission member shall indicate that the stated opinions and beliefs are not necessarily the opinions and beliefs of the Commission as a whole.

Section 6. The Commission, or its individual members, shall not intrude into the management of the offices of the Zoning Official, Township Engineer, Building Official, or into those matters which are handled administratively within the various departments of the Township government. Any concerns that the Commission may have over management practices in such offices as they relate to matters relating to the physical and environmental development of the Township shall be transmitted in writing to the Township Supervisor.

Section 7. Commission members shall conduct themselves at Commission meetings in a fair, courteous, and understanding manner. Commission members shall avoid interchanges involving personality differences.

ARTICLE IV -- REVISION OF DUTIES, POLICIES AND PROCEDURES

Section 1. These Duties, Policies and Procedures may be reviewed when placed on the agenda by the Chairperson, by two members or more members upon written request to the Secretary, or by the Zoning Official.

Section 2. If changes to the provisions of these Duties, Policies, and Procedures are proposed after a review conducted in accordance with Section 1 above, these Duties, Policies, and Procedures may be amended or altered to incorporate such changes at the following regular meeting by the affirmative vote of at least five (5) members of the Commission. Proposed changes that have not been discussed during a Duties, Policies, and Procedures review at a preceding regular meeting cannot be voted on until a subsequent regular meeting.