



**AGENDA**  
*CHARTER TOWNSHIP OF MERIDIAN*  
*PLANNING COMMISSION – REGULAR MEETING*  
April 10, 2017 7PM



1. Call meeting to order at approximately 7:00 p.m.
2. Approval of agenda
3. Approval of minutes
  - A. March 27, 2017 Regular Meeting – Not Available
4. Public Remarks
5. Communications
  - A. None
6. Public Hearings
  - A. None
7. Unfinished Business
  - A. Special Use Permit #17021 (Patriot Ambulance Service, Inc.), establish ambulance transport facility at 1673 Haslett Road.
8. Other Business
  - A. Planning Commission Bylaws
  - B. Training Opportunities
9. Township Board, Planning Commission officer, committee chair, and staff comments or reports
10. Project Updates
  - A. New Applications – NONE
  - B. Site Plans Received – NONE

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All comments limited to 3 minutes, unless prior approval for additional time for good cause is obtained from the Supervisor.  
Appointment of Supervisor Pro Tem and/ or Temporary Clerk if necessary.

Individuals with disabilities requiring auxiliary aids or services should contact Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4258 - Ten Day Notice is Required. Meeting Location: 5151 Marsh Road, Okemos, MI 48864

Meridian Township exists to create a sustainable community through the most effective use of available resources that achieve the highest quality of life.

A PRIME COMMUNITY  
meridian.mi.us

**Planning Commission Agenda**

**April 10, 2017**

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C. Site Plans Approved – NONE

11. Public Remarks

12. Adjournment

Post Script: John Scott-Craig

The Planning Commission's Bylaws state agenda items shall not be introduced for discussion or public hearing after 10:00 p.m. The chair may approve exceptions when this rule would cause substantial backlog in Commission business (Rule 5.14 Limit on Introduction of Agenda Items).

Persons wishing to appeal a decision of the Planning Commission to the Township Board in the granting of a Special Use Permit must do so within ten (10) days of the decision of the Planning Commission (Section 86-189 of the Zoning Ordinance).

**TENTATIVE PLANNING COMMISSION AGENDA**

**APRIL 24, 2017**

1. Public Hearings
  - A. Special Use Permit #17031 (McCallum), work in 100 year floodplain of the Sloan Creek/Button Drain to construct new house at 986 Jolly Road.
2. Unfinished Business
  - A. Planning Commission Bylaws
3. Other Business



**TO:** Planning Commission

**FROM:**   
Peter Menser  
Senior Planner

**DATE:** April 6, 2017

**RE:** Special Use Permit #17021 (Patriot Ambulance), establish ambulance transportation facility at 1673 Haslett Road.

The Planning Commission held the public hearing for Special Use Permit #17021 at the March 27, 2017 meeting. At the meeting the Planning Commission had some questions about how the proposed use is regulated and the requirement of 24 hour service indicated by the applicant. Emergency medical service providers are regulated locally by the Tri-County Emergency Medical Control Authority (TCEMCA) on behalf of the Michigan Department of Health and Human Services. Staff has confirmed that the service must operate 24 hours; it is a requirement of the Public Health Code (Act 368 of 1978) that an ambulance facility have at least one vehicle available 24 hours per day to respond to emergencies.

### **Planning Commission Options**

The Planning Commission has the option to approve, approve with conditions, or deny the special use permit request. A resolution to approve is attached.

### **Attachment**

1. Resolution to approve

G:\Community Planning & Development\Planning\SPECIAL USE PERMITS (SUP)\2017\SUP 17021 (Patriot Ambulance)\Staff Report\SUP 17021.pc2

**RESOLUTION TO APPROVE**

**Special Use Permit #17021  
(Patriot Ambulance Service, Inc.)  
1673 Haslett Road**

**RESOLUTION**

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 10th day of April 2017, at 7:00 p.m., Local Time.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and supported by \_\_\_\_\_.

WHEREAS, Patriot Ambulance Service, Inc. requested a special use permit (SUP #17021) to establish an ambulance transportation facility at 1673 Haslett Road; and

WHEREAS, the request is being considered for a special use permit under Section 86-659(a), Other Special Uses, of the Code of Ordinances; and

WHEREAS, the subject site is located in the C-2 (Commercial) zoning district and the proposed use meets the intent of the district to accommodate business service activities that serve a community level trade area; and

WHEREAS, the Planning Commission held a public hearing for Special Use Permit #17021 at its meeting on March 27, 2017, and has reviewed the staff material forwarded under a cover memorandum dated March 24, 2017; and

WHEREAS, the ambulance transportation facility is consistent with the general standards for granting a special use permit found in Section 86-126 of the Code of Ordinances.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #17021 subject to the following conditions:

1. Approval is granted in accordance with the application materials submitted by the applicant dated February 16, 2017.
2. The applicant shall obtain and maintain all necessary permits, licenses, and approvals from the Tri-County Emergency Medical Control Authority, Michigan Department of Health and Human Services, and the Township, as applicable.
3. No more than two non-emergency ambulances and one wheelchair accessible van shall be stored on the property by Patriot Ambulance Service, Inc.
4. If utilized, emergency sirens and lights shall not be activated until the ambulance begins its entry onto Haslett Road.





**To:** Planning Commission

**From:** *Peter Menser*  
Peter Menser  
Senior Planner

**Date:** April 7, 2017

**Re:** Planning Commission bylaws

The Planning Commission discussed amending their bylaws in 2014 but amendments were not adopted at that time. Attached are copies of the adopted bylaws, the draft amendment from 2014, and the minutes from the May 19, 2017 meeting when the amendment was discussed. The Planning Commission may consider the existing bylaws and those proposed to determine if proceeding with an amendment is necessary.

**Attachments**

1. Planning Commission bylaws adopted March 9, 2009
2. Staff report dated May 15, 2014 and draft bylaws dated May 6, 2014
3. Meeting minutes from May 19, 2014

G:\Community Planning & Development\Planning\Planning Commission\Bylaws\2017 Bylaw amendment\bylaws update.pc1.doc

## **MERIDIAN TOWNSHIP PLANNING COMMISSION BYLAWS**

These bylaws of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, are adopted in accordance with the Michigan Planning Enabling Act (P. A. 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 (P. A. 33 of 2008 as amended), and the Meridian Charter Township Code of Ordinances, (Chapter 2, Article VI, Division 5).

### **2. OFFICERS**

2.1 Selection. At the first regular meeting in January, 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. Officers shall be eligible for re-election, but shall not serve more than two successive full terms in an office.

2.3 Duties.

- 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 (P. A. 33 of 2008 as amended), and such other duties as may be assigned from time to time by the Commission.

### **3. RESPONSIBILITIES AND AUTHORITY**



The Commission shall assume the following responsibilities and authority pursuant to the Michigan Planning Enabling Act (P.A. 33 of 2008 as amended), the Zoning Enabling Act (P.A. 110 of 2006 as amended), and the Meridian Charter Township Code of Ordinances, Chapter 2, Article VI, Division 5, including:

- a. Prepare, adopt, or amend a master plan for the Township, including recommendations for development. Examples of activities to accomplish this responsibility include:
  1. Preparation of planning reports and plans (prior to publication).
  2. Preparation of preliminary plans and reports for the physical development of the Township, 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.
  3. Recommendations as to the general character, extent and layout for the redevelopment or rehabilitation of blighted areas.
- b. Conduct studies and surveys related to Township planning and development.
- c. Review and recommend approval or disapproval of public improvements, prior to authorization or construction, including but not limited to the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of streets, grounds, open spaces, buildings, utilities or other facilities.
- d. Promote public education and citizen participation in the Township master plan.
- e. Recommend approval, modification or disapproval of plats in accordance with Chapter 62 of the Meridian Township Code of Ordinances.
- f. Hear and decide special use permits.
- g. Formulate and recommend ordinances, including their amendments or revisions.
- h. Evaluate and prepare recommendations related to the administration and enforcement of the zoning ordinance and the subdivision of land.
- i. Prepare and submit an annual budget request to the Director of Community Planning and Development.
- j. Recommend to the Township Board a member of the Commission to serve on the Zoning Board of Appeals.

- k. Make recommendations for the selection of consultants and determination of basis for compensation to the Township Board.

#### 4. COMMITTEES

- 4.1 Purpose. The Commission may establish committees and/or designate liaisons to other Township 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.
- 5.2 Special Meetings. Special meetings may be called by the chair. The chair shall call a special meeting at the written request of three 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 (P.A. 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 (P. A. 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. Five 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 (P. A. 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, Township ordinance or parliamentary authority requires otherwise.
- 5.8 Attendance. Members of the Commission who are absent from more than three (3) 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 Township Board. Exceptions may be made if absences are due to the conduct of other business as authorized by the Commission.
- 5.9 Conflict of Interest. Members shall comply with the definition of “conflict of interest” found in Section 2-287(d) of the Code of Ordinances. Members who have a conflict of interest shall not vote or participate in any consideration of that matter, such action to be recorded in the meeting record. Failure of a member to disclose a potential conflict constitutes malfeasance in office.
- 5.10 Agenda,
- a. An agenda shall be established for each meeting of the Commission by designated Township 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. Public Remarks
  - 5. Communications
  - 6. Public Hearings
  - 7. Public Remarks
  - 8. Unfinished Business
  - 9. Discussion
  - 10. Other Business (as applicable)
  - 11. Announcements
  - 12. Public Remarks
  - 13. Adjournment

5.11 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 (P.A. 267, 1976 as amended).
- b. Opportunity shall be provided for public comment at meetings in accordance with established Commission and Township policies and procedures, which include:
  - 1. The number of persons admitted to a meeting room will be in keeping with public safety requirements and availability of space. Efforts will be made to provide adequate room to accommodate those in attendance.
  - 2. Established protocols for public participation will be announced

at the beginning of the meeting.

3. Opportunity to speak will be granted either under Public Remarks, or during a public hearing, as most appropriate.
  4. 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.
  5. Those completing a request form in writing shall be called upon first to speak.
  6. Members of the public will identify themselves by name and address prior to presenting their comments.
  7. All written communications will become part of the Commission record.
  8. The chair, without objections from the Commission, 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.

5.12 Records. Designated Township 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 (P.A. 442 of 1976 as amended).

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

1. Planning.

- a. 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:
  1. Each municipality contiguous to Meridian Township.
  2. Tri-County Regional Planning Commission
  3. Ingham County Board of Commissioners.

4. Each public utility company and railroad company owning or operating a public utility or railroad within Meridian Township that registers its name and mailing address for this purpose with the Commission.
  5. Any government agency that registers its name and mailing address for this purpose with the Commission.
  6. Ingham County Road Commission and Michigan Department of Transportation.
- b. The secretary of the Commission shall distribute the completed Master Plan draft after receiving Township Board authorization to the following:
1. Each municipality contiguous to Meridian Township.
  2. Tri-County Regional Planning Commission.
  3. Ingham County Board of Commissioners including a statement signed by the secretary of the Commission that each municipality contiguous to Meridian Township and the Tri-County Regional Planning Commission were notified of the intent to prepare a Master Plan.
  4. Each public utility company and railroad company owning or operating a public utility or railroad within Meridian Township which has registered its name and address; and reimburses Meridian Township for copying and mailing costs.
  5. Any government agency which has registered its name and mailing address with the secretary of the Commission and reimburses Meridian Township for copying and mailing costs.
  6. Ingham County Road Commission and Michigan Department of Transportation.
- c. 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 shall be send a copy of the Master Plan upon final adoption.
2. 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 Township Board for final action thereon, as specified in the Michigan Zoning Enabling Act (P. A. 110 of 2006 as amended) and Chapter 86 of the Township Code of Ordinances.

3. 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 Township Board 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 Township Board.

- 5.14 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 and Time Limits.

- 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 recommending approval by the Township Board of any amendment to the Township Zoning Ordinances or of other zoning requests.
  3. For consideration of special use permits.
  4. For other matters as required by statute or Township 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. Notice of public hearings, including time, place and purpose shall be made in conformance with requirements of the Michigan Planning Enabling Act

(P. A. 33 of 2008 as amended), the Michigan Zoning Enabling Act (P.A. 110 of 2006 as amended), the Township Code of Ordinance Chapter 86, and such other procedures as adopted by the Commission or Township 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 (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. Final remarks by applicant.
- g. Adjournment

6.4 Decisions.

- a. A decision on a special use permit, zoning request or ordinance will not 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 may appeal such action in writing to the Township Board within ten (10) days after the date of such action.

## 8. PARLIAMENTARY AUTHORITY

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

## 9. AMENDMENT AND SUSPENSION OF BYLAWS

- 9.1 Amendment. Bylaws not required by state or federal law or Township 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, Township ordinance and parliamentary authority.

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

**TO:** Planning Commission



Gail Oranchak, AICP  
Principal Planner

**DATE:** May 15, 2014

**RE:** Proposal to Revise the Planning Commission Bylaws

It has come to staff's attention some sections of the Bylaws have been misinterpreted because they are not as precise as they should be. For this reason staff has attached for the Planning Commission's consideration a revised version. Additional changes may be made after which time a notice will be published to receive public comment.

Attachments

1. Revised Planning Commission Bylaws dated May 6, 2014

## MERIDIAN TOWNSHIP PLANNING COMMISSION BYLAWS

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- 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. Officers shall be eligible for re-election, but shall not serve more than two successive full terms in an office.
- 2.3 Duties.
- 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 (~~P.A.~~ ACT 33 of 2008 as amended), and such other duties as may be assigned from time to time by the Commission.

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#### A. THE MICHIGAN PLANNING ENABLING ACT (ACT 33 OF 2008 AS AMENDED)

1. Prepare, adopt, or amend a master plan for the Township, including recommendations for development. Examples of activities to accomplish this responsibility include:
  - a. Preparation of planning reports and plans (prior to publication).
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  - 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 Township planning and development.
3. Review ~~FOR CHARACTER LOCATION AND EXTENT~~ and recommend approval or disapproval of public improvements, prior to ~~CONSTRUCTION OR~~ authorization of construction, ~~including but not limited to the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of streets, grounds, open spaces, buildings, utilities or other facilities.~~ 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 Township master plan.

#### B. THE LAND DIVISION ACT (ACT 288 OF 1967 AS AMENDED)

1. Recommend approval, modification or disapproval of plats in accordance with Chapter 62 of the Meridian Township 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 ~~and the subdivision of land.~~

D. THE MERIDIAN CHARTER TOWNSHIP CODE OF ORDINANCES,  
CHAPTER 2, ARTICLE VI, DIVISION 5

1. Prepare and submit an annual budget request to the Director of Community Planning and Development.
2. Recommend to the Township Board a member of the Commission to serve on the Zoning Board of Appeals.
3. Make recommendations for the selection of consultants and determination of basis for compensation to the Township Board.

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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 (~~P.A.~~ 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 (~~P.A.~~ 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. Five 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 (~~P.A.~~ 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, Township ordinance or parliamentary authority requires otherwise.
- 5.8 Attendance. Members of the Commission who are absent from more than three (3) 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 Township Board. Exceptions may be made if absences are due to the conduct of other business as authorized by the Commission.
- 5.9 Conflict of Interest. Members shall comply with the definition of "conflict of interest" found in Section 2-287(d) of the Code of Ordinances. Members who have a conflict of interest shall not vote or participate in any consideration of

that matter, such action to be recorded in the meeting record. Failure of a member to disclose a potential conflict constitutes malfeasance in office.

5.10 Agenda.

- a. An agenda shall be established for each meeting of the Commission by designated Township 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.
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  2. Approval of agenda
  3. Approval of Minutes
  4. Public Remarks
  5. Communications
  6. Public Hearings
  7. ~~Public Remarks~~
  8. Unfinished Business
  9. ~~Discussion~~
  10. Other Business (as applicable)
  11. Announcements
  12. Public Remarks
  13. Adjournment

5.11 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 (~~P.A.~~ ACT 267, 1976 as amended).
- b. Opportunity shall be provided for public comment at meetings in accordance with established Commission and Township policies and procedures, which include:
  - 1. The number of persons admitted to a meeting room will be in keeping with public safety requirements and availability of space. Efforts will be made to provide adequate room to accommodate those in attendance.
  - 2. Established protocols for public participation will be announced at the beginning of the meeting.
  - 3. Opportunity to speak will be granted either under Public Remarks, or during a public hearing, as most appropriate.
  - 4. 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.
  - 5. Those completing a request form in writing shall be called upon first to speak.
  - 6. Members of the public will identify themselves by name and address prior to presenting their comments.
  - 7. All written communications will become part of the Commission record.
  - 8. The chair, without objections from the Commission, 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.

5.12 Records. Designated Township 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 (~~P.A.~~ ACT 442 of 1976 as amended).

5.13 Reporting Requirements. The Commission shall provide for timely



transmission of such reports or recommendations as are required by State law, Township ordinance or Board policy. Examples of reporting requirements include:

1. Planning.

a. 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:

1. Each municipality contiguous to Meridian Township.
2. Tri-County Regional Planning Commission
3. Ingham County Board of Commissioners.
4. Each public utility company and railroad company owning or operating a public utility or railroad within Meridian Township that registers its name and mailing address for this purpose with the Commission.
5. Any government agency that registers its name and mailing address for this purpose with the Commission.
6. Ingham County Road ~~Commission~~ DEPARTMENT and Michigan Department of Transportation.

b. The secretary of the Commission shall distribute the completed Master Plan draft after receiving Township Board authorization to the following:

1. Each municipality contiguous to Meridian Township.
2. Tri-County Regional Planning Commission.
3. Ingham County Board of Commissioners including a statement signed by the secretary of the Commission that each municipality contiguous to Meridian Township and the Tri-County Regional Planning Commission were notified of the intent to prepare a Master Plan.
4. Each public utility company and railroad company owning or operating a public utility or railroad within Meridian Township which has registered its name and address; and reimburses Meridian Township for copying and mailing costs.
5. Any government agency which has registered its name and

mailing address with the secretary of the Commission and reimburses Meridian Township for copying and mailing costs.

6. Ingham County Road ~~Commission~~ DEPARTMENT and Michigan Department of Transportation.

c. 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 shall be send a copy of the Master Plan upon final adoption.

2. 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 Township Board for final action thereon, as specified in the Michigan Zoning Enabling Act (~~P. A.~~ ACT 110 of 2006 as amended) and Chapter 86 of the Township Code of Ordinances.

3. 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 Township Board 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 Township Board.

5.14 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 and Time Limits.

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 recommending approval by the Township Board of any amendment to the Township Zoning Ordinances or of other zoning requests.
3. For consideration of special use permits.

4. For other matters as required by statute or Township 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. ~~requirements of the Michigan Planning Enabling Act (P. A. ACT 33 of 2008 as amended), the Michigan Zoning Enabling Act (P.A. ACT 110 of 2006 as amended), the Township Code of Ordinance Chapter 86, and such other procedures as adopted by the Commission or Township Board.~~ 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 TOWNSHIP CODE OF ORDINANCE CHAPTER 86 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 TOWNSHIP CODE OF ORDINANCE CHAPTER 62 FOR PRE-PRELIMINARY PLATS AND TENTATIVE PRELIMINARY PLATS.

B. OTHER PROCEDURES AS ADOPTED BY THE PLANNING COMMISSION OR TOWNSHIP 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 (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. Final remarks by applicant.
- g. Adjournment

6.4 Decisions,

- a. A decision on a special use permit, zoning request or ordinance will not 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 Township Board within ten (10) days after the date of such action.

**8. PARLIAMENTARY AUTHORITY**

Robert's Rules of Order Newly Revised, shall generally govern all questions of procedure not otherwise provided for in these bylaws or by state or federal law, or Township ordinance or policy;

EXCEPT, the Planning Commission shall not reconsider a decision without prior authorization from the Township Board.

## 9. AMENDMENT AND SUSPENSION OF BYLAWS

- 9.1 Amendment. Bylaws not required by state or federal law or Township 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, Township ordinance and parliamentary authority.

- Concern with being proactive in assigning MUPUD as a zoning designation prior to an applicant wishing to locate a mixed use there
- Minimal inconsistencies in zoning designations relative to the FLUM
- Suggestion to communicate with the Economic Development Corporation (EDC) for the Planning Commission to have prior knowledge of businesses looking to locate in the Township
- Planning Commission efforts to reconcile the FLUM with rezonings approved since the 2005 Master Plan
- Commissioner preference to defer action on this issue until the larger discussion is vetted
- Mixed uses come before the Planning Commission in various forms
- Individuals need to use the designations when planning and if the new category is titled "mixed use", it would be easy for them to assume those designations on the FLUM are the only places the Township wants mixed use at that specific point in time
- Consensus to create a new category for Map #1, Map #4, Map #5 and Map #8 entitled "existing and pending mixed use"
- Consensus to change Map #2 from the current FLUM designation of office to RC (8-14 dwelling units/acre)
- Consensus to change Map #6 from the current FLUM designation of institutional to commercial and residential (1.25-3.5 dwelling units/acre)
- Consensus to change Map #9 from the current FLUM designation of office and commercial to RB
- Suggestion to use property on Map #3 when the Planning Commission discusses appropriate parcels suitable for potential mixed use
- Reminder to look at the parcel in context of the entire area for Saginaw Highway
- Consensus to discuss Map #3 and Map #7 at the next Planning Commission meeting



B. Proposal to revise the Planning Commission Bylaws

Principal Planner Oranchak summarized proposed revisions of Planning Commission Bylaws as outlined in staff memorandum dated May 15, 2014.

Planning Commission and staff discussion:

- Reminder that items which are sent to the Township Board from the Planning Commission do not require an appeal process as the Board makes the final decision
- No mention of an appeal process in the Michigan Planning Enabling Act (MPEA)
- Section 61 review does not require the Planning Commission to hold a public hearing or notice the public as it is not a project until a building permit or SUP is granted
- Any project must go through the site plan review process which is an appealable process
- Planning Commissioner request to add Section 61 reviews to Bylaw 6.2 as it is the first time the public is exposed to the project
- Planning Commissioner request to add Section 61 reviews to Bylaw 7.2, titled "7. APPEALS, Commission Decisions" as the Township should hold itself to higher standards than the minimum ones provided in the PEA
- Concern with adding Section 61 reviews to Bylaw 7.2 as no one would have standing to file an appeal for a Section 61 review, as outlined in the recent circuit court decision for the Township (Autumn Park Condominium Association v. Meridian Township)
- Aggrieved person is defined in the Zoning Ordinance and is provided an appeal process on Planning Commission decisions regarding special use permits
- Request to add Section 61 review to the items listed in Bylaw 6.4a
- By statute, public hearings are not required for a Section 61 review and would be a moot point

- Public hearings previously held on Section 61 reviews have been for informational purposes, not required by statute
- Planning Commissioner preference to notice Section 61 reviews through a legal notice
- Cost associated with legal notices in the newspaper for Section 61 reviews
- Planning Commission agendas which contain a Section 61 review are posted on the Township's website
- Section 61 reviews which are not acted upon within 35 days from filing are automatically approved according to the MPEA
- Planning Commission bylaws and policies are based on statutes and existing ordinances
- Township's which conduct their own business are exempt from their own ordinances
- New central fire station process did not require any noticing whatsoever
- Concern with Planning Commission authority to grant an applicant additional appeal rights in Bylaw 7.2 beyond what is provided by statute
- Revised bylaws will undergo legal review prior to adoption
- Suggestion to revise Bylaw 3.A.4. by deleting "master plan" and inserting "planning process."
- Ability of the Planning Commission to prepare and submit an annual budget request to the Director of Community Planning and Development as noted in Bylaw 3.D.1.
- Suggestion to amend language in the last sentence of Bylaw 5.8. by deleting "Commission" and inserting "Chair"
- Concern that placing public remarks before approval of the agenda and approval of minutes may preclude a member of the public from commenting on an agenda change the Planning Commission may make afterward
- Staff to provide information on the requirement for members of the public to identify themselves by name and address prior to presenting their comments as noted in Bylaw 5.11.b.6
- Consensus to move first public remarks on the agenda directly after call to order as it will allow the Planning Commission an opportunity to change the agenda or minutes based upon prior public remarks
- Planning Commission ability to add and remove items on the agenda
- A noticed public hearing placed on an agenda can only be removed at the request of the applicant
- Staff inquiry on the history of inclusion of language in Bylaw 5.11.b.8
- Public noticing requirement for a special meeting is posting the meeting 18 hours prior to the time of the special meeting
- Possible inclusion of the secretary as the person who chairs Planning Commission meetings in the absence of the Chair and Vice-Chair
- History on the origin of language in 8. Parliamentary Authority
- Planning Commissioners cannot take it upon themselves to reconsider a topic
- Township Board must approve Planning Commission reconsideration of a topic
- History on prohibition of Planning Commission reconsideration of a topic without Board approval
- Request for a Township Attorney's opinion on whether a failure to approve a motion is a denial
- Absent a Township attorney's opinion, Planning Commissioner request to have both a motion to approve and a motion to deny prepared for the same meeting
- Planning Commission must table an agenda item prior to taking a vote
- Ability of the Chair to ascertain if there are insufficient votes for approval of an agenda item and subsequently ask for a motion to table
- Taking an agenda item off the table requires a 2/3 majority vote of the Planning Commission

- Reminder that the Planning Commission's denial of a SUP request can be appealed to the Township Board by the applicant
- Consensus to amend Bylaw 5.14 by deleting "10:00 P.M." and inserting "three (3) hours after the meeting is called to order."

C. Resolution of Appreciation – David DeLind

**Commissioner Deits moved to suspend Bylaw 5.14a to consider agenda items after 10:00 P.M. Seconded by Commissioner Hildebrandt.**

VOICE VOTE: Motion carried unanimously.

**Commissioner Ianni moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN as follows:**

**The Planning Commission of the Charter Township of Meridian, by means of resolution, extends to David DeLind grateful thanks for his voluntary effort on behalf of all members of the Meridian Township community during this period of service on the Planning Commission.**

**Seconded by Commissioner Cordill.**

Planning Commission discussion:

- Commissioner DeLind's resignation due to work-related relocation
- Appreciation for the engineering expertise Commissioner DeLind brought to the Planning Commission

ROLL CALL VOTE: YEAS: Commissioners Cordill, Deits, Hildebrandt, Honicky, Ianni, Salehi, Scott-Craig, Van Covering, Chair Jackson

NAYS: None

Motion carried unanimously.

- 9. Township Board, Planning Commission officer, committee chair, and staff comment or reports**  
Chair Jackson reported three members of the Planning Commission and three members of the Township Board attend a productive meeting on the issue of the urban services management area (USMA) earlier today. She indicated at this point in time, the USMA will remain at the Board level.
- 10. New applications** (None)
- 11. Site plans received** (None)
- 12. Site plans approved** (None)

**13. Public remarks**

Chair Jackson opened public remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, inquired if special use permits which do not go to the Board are appealable, noting the Planning Commission Bylaws do not address this fact. He expressed appreciation that the Township does apprise the public of Section 61 Reviews through a legal notice, although not mandated by statute to do so. Mr. Bowlby believed the Township is not performing a Section 61 Review on all public improvements (i.e., sidewalk repair) as specified in Act 33 of 2008. He spoke to implications of the 35 day limit in the MPEA for Section 61 Reviews in the event action is not taken at one meeting and the time frame elapses before the issue can be addressed at the next Planning Commission meeting. Mr. Bowlby spoke to one Planning Commissioner's opinion as to Planning Commission duties relative to a Section 61 Review, stating he did not believe a