

CODIFIED ORDINANCES OF LITCHFIELD

PART TWELVE – PLANNING AND ZONING CODE

TITLE TWO – Planning

Chap. 1220. Planning Commission.

Chap. 1222. Community Development Plan.

CHAPTER 1220

Planning Commission

- | | |
|---|--|
| <p><u>Article 1. Planning Commission – Creation and Administration.</u></p> <p>1220.101 Planning Commission; membership; appointment; terms; vacancies; representation; qualifications; ex officio members; conflict of interest; removal of members.</p> <p>1220.102 Chairperson, secretary, and other offices; election; terms; appointment of advisory committees.</p> <p>1220.103 By-Laws; adoption; public record requirement; annual report by Planning Commission.</p> | <p>1220.104 Meetings; frequency; time; place; special meetings; notice; compliance with Open Meetings Act; availability of writings to public.</p> <p><u>Article 2. Continuation of Master Plan and Requirement for Review.</u></p> <p>1220.201 Continuation of Master Plan; required review and amendment procedures.</p> |
|---|--|

CROSS REFERENCES

- Planning Commission - see CHTR. Sec. 6.7
- Municipal planning commissions - see M.C.L.A. Sec. 125.31 et seq.
- Authority re subdivisions - see P. & Z. 1244.05, 1244.08
- Authority re conditional use permits - see P. & Z. Ch. 1275
- Authority re site plan review and approval - see P. & Z. 1276.02(c)
-

ARTICLE 1. PLANNING COMMISSION – CREATION AND ADMINISTRATION.**1220.101 PLANNING COMMISSION; MEMBERSHIP; APPOINTMENT; TERMS; VACANCIES; REPRESENTATION; QUALIFICATIONS; EX OFFICIO MEMBERS; CONFLICT OF INTEREST; REMOVAL OF MEMBERS.**

(a) The Litchfield Planning Commission is hereby continued pursuant to the authority of the Michigan Planning Enabling Act (M.C.L.A. 125.3801 et seq.) and the Planning Commission is vested with the powers and duties corresponding with the powers and duties of Planning Commissions specifically set forth in that Act. The Mayor shall appoint members of the Planning Commission, subject to approval by majority vote of the City Council.

(b) The City Planning Commission shall consist of seven members. Members of the Planning Commission other than ex officio members shall be appointed for three-year terms. If a vacancy occurs on the Planning Commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

(c) The membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the City of Litchfield, in accordance with the major interests as they exist in the City, such as agricultural, natural resources, recreation, education, public health, government, transportation, industry and commerce. The membership shall also be representative of the entire geography of the City to the extent practicable.

(d) Members of the Planning Commission shall be qualified electors of the City of Litchfield, except that one member of the Planning Commission may be an individual who is not a qualified elector of the City.

(e) The City Manager or a person designated by the City Manager, if any, the Mayor, one or more members of the City Council, or any combination thereof, may be appointed to the Planning Commission, as ex officio members. However, not more than one third (1/3) of the members of the Planning Commission may be ex officio members. Except as provided in this section, an elected officer or employee of the City of Litchfield is not eligible to be a member of the Planning Commission. The term of an ex officio member of the Planning Commission shall be as follows:

- (1) The term of the Mayor shall correspond to his or her term as Mayor;
- (2) The term of the City Manager shall expire with the term of the Mayor that appointed him or her as City Manager;
- (3) The term of a member of the City Council shall expire with his or her term on the City Council.

(f) Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. The member is disqualified from voting on the matter if so provided by the By-Laws or by a majority vote of the remaining members of the Planning Commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. The Planning Commission shall define conflict of interest in its By-Laws.

(g) The legislative body may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after public hearing. (Ord. 2001-03. Passed 6-11-01; Res. 2001-17. Passed 9-10-01; Ord. 2006-08. Passed 10-10-06; Ord. 2011-04. Passed 6-14-11.)

**1220.102 CHAIRPERSON, SECRETARY, AND OTHER OFFICES; ELECTION;
TERMS; APPOINTMENT OF ADVISORY COMMITTEES.**

(a) The Planning Commission shall elect a chairperson and secretary from its members and create and fill other offices as it considers advisable. An ex officio member of the Planning Commission is not eligible to serve as chairperson. The terms of each officer shall be one year with opportunity for re-election as specified in the Planning Commission's By-Laws.

(b) The Planning Commission may appoint advisory committees whose members are not members of the Planning Commission. (Ord. 2011-04. Passed 6-14-11.)

**1220.103 BY-LAWS; ADOPTION; PUBLIC RECORD REQUIREMENT; ANNUAL
REPORT BY PLANNING COMMISSION.**

(a) The Planning Commission shall adopt By-Laws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

(b) The Planning Commission shall make an annual written report to the Litchfield City Council concerning its operations and the status of planning activities, including recommendations regarding actions by the City Council related to planning and development. (Ord. 2011-04. Passed 6-14-11.)

**1220.104 MEETINGS: FREQUENCY; TIME; PLACE; SPECIAL MEETINGS;
NOTICE; COMPLIANCE WITH OPEN MEETINGS ACT;
AVAILABILITY OF WRITINGS TO PUBLIC.**

(a) The Planning Commission shall hold not less than four regular meetings each year, and by resolution shall determine the time and place of the meetings. Unless the By-Laws provide otherwise, a special meeting of the Planning Commission may be called by the chairperson or by two other members, upon written request to the secretary. Unless the By-Laws provide otherwise, the secretary shall send written notice of a special meeting to the Planning Commission members not less than forty-eight hours before the meeting.

(b) The business that the Planning Commission may perform shall be conducted at a public meeting of the Planning Commission held in compliance with the Open Meetings Act, 1976 PA 267, M.C.L.A. 15.261 et seq. Public notice of the time, date, and place of a regular or special meeting shall be given in the manner required by that Act.

(c) A writing prepared, owned, used, in the possession of, or retained by the Planning Commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, 1976 PA 442, M.C.L.A. 15:231 et seq. (Ord. 2011-04. Passed 6-14-11.)

ARTICLE 2. CONTINUATION OF MASTER PLAN AND REQUIREMENT FOR REVIEW.

1220.201 CONTINUATION OF MASTER PLAN; REQUIRED REVIEW AND AMENDMENT PROCEDURES.

(a) The Litchfield Master Plan heretofore adopted is continued pursuant to the authority of the Michigan Planning Enabling Act at Section 81 (M.C.L.A. 125.3881).

(b) At least every five years, the Planning Commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the Planning Commission.

(c) Any proposed amendment to the master plan shall follow the procedures set forth in the Michigan Planning Enabling Act. (Ord. 2011-04. Passed 6-14-11.)