

**BYLAWS OF THE  
KALAMAZOOCITY PLANNING COMMISSION**

Adopted in Accordance with Section 19, PA 2008, No. 33, as amended, (the Act)  
and Ordinance No. 1884 adopted June 20, 2011

**ARTICLE I - OFFICERS AND MEMBERSHIP**

Section 1.0 Officers: The officers of the Kalamazoo City Planning Commission shall consist of a chairperson, a vice chairperson and secretary elected by the commission at its annual meeting. Officers shall serve for a period of one year and may be re-elected. If a vacancy occurs for any officer position, the commission shall - as soon as practical after the vacancy occurs - fill the vacant office position by an election from the remaining members of the commission. Such officer shall serve the unexpired term of the vacant office position.

The city planner shall designate a member of his or her staff to serve as the recording secretary of the commission for purposes of recording and preparing a draft of the proposed minutes for each meeting for the secretary to review prior to presenting to the commission.

Section 1.1 Duties of Officers: The duties and powers of the officers of the Kalamazoo City Planning Commission shall be as follows:

- (a) Chairperson
  1. To preside at all meetings of the commission;
  2. To call special meetings of the commission in accordance with these Bylaws;
  3. To see that all actions of the commission are properly taken;
  4. To appoint subcommittees of the commission which, in his or her opinion, may be required from time to time to assist the commission in carrying out its responsibilities;
  5. To sign all documents and letters of the commission directed to the City Commission;
  6. To see that an annual report is prepared and submitted to the City Commission by December 1 of each year;
- (b) Vice Chairperson
  1. During the absence, disability, or disqualification of the chairperson, the vice chairperson shall perform the duties and assume the responsibilities of the chairperson.
- (c) Secretary
  1. To review, present and keep the proposed and final minutes of all meetings of the commission;
  2. To distribute the proposed agenda for all meetings of the commission;

3. To inform the commission of correspondence relating to business of the commission and, at the direction of the commission, to respond to such correspondence;
4. To conduct the election of officers at the commission's annual meeting;
5. To conduct a special election for the appointment of an acting chairperson to serve in the absence of both the chairperson and vice chairperson;
6. To sign documents and letters as directed by the commission;
7. To report to the City Commission any member who has missed three regular meetings in a row without having made a request to be absent from a meeting for just cause.

Section 1.2 Membership: The commission shall consist of nine (9) members. The members are appointed by mayor with the approval of the City Commission, and no voting member shall hold any salaried position in the municipal service, or be a member of the City Commission. The terms of the commission members shall be for three (3) years, or until their successors respectively take office, and the terms of the members shall be staggered so that three (3) members may be replaced each year.

Section 1.3 Vacancies: Should any vacancy occur among the members of the commission by reason of death, resignation, disability, or otherwise than through the expiration of terms, the secretary shall notify the city clerk.

## **ARTICLE II - MEETINGS**

Section 2.0 Annual Meeting: The annual meeting of the commission shall be the first regular meeting in the month of February each year. Such meeting shall be devoted to the election of officers for the ensuing year and such other business as scheduled before the commission.

Section 2.1 Regular Meeting: The commission shall meet at least four times in any calendar year. However, unless there is no business to be conducted the commission shall hold regular meetings in the City Hall at 7:00 p.m., on the first Thursday of each month. At such meetings, the commission shall consider all matters properly brought before it. A regular meeting may be canceled or rescheduled by the commission with sufficient public notice as may be required under the Open Meetings Act.

Section 2.2 Special Meetings: The commission may hold a special meeting at the call of the chairperson or by 2 other members upon written request to the secretary. The time, place within City Hall, and purpose of the special meeting shall be included in the written notice given to all commission members not less than

48 hours before the meeting. Sufficient public notice as required by law shall be made of all special meetings.

Section 2.3 Quorum: At any meeting of the commission, a quorum shall consist of five (5) members. No action shall be taken in the absence of a quorum except to adjourn the meeting to a subsequent date.

Section 2.4 Voting: At all meetings of the commission, each member attending is entitled to cast one vote. Voting involving a text amendment, a map amendment to the Zoning Ordinance, the adoption of a Master Plan element or special use permit shall be by roll call vote. Where a member is not present at a public hearing, the vote on the matter at subsequent meetings shall depend upon a public statement from such member attesting to his or her familiarity to the subject from listening to the recorded tape of the hearing and/or from a review of appropriate written materials.

Section 2.5 Disclosure: If any member of the commission shall have a personal interest of any kind or a reasonably potential conflict of interest in a matter then before the commission, he or she shall disclose any such interests. As a result, the member is disqualified from voting upon the matter and the minutes shall reflect that no vote was cast by such member.

For purposes of determining whether a member has a personal interest or reasonably potential conflict of interest in a matter before the commission the following, without limitation, apply:

- (a) The member has a direct interest in outcome of the matter because of any ownership or other interest in the land in question, or in land adjacent to the land in question.
- (b) The matter involves a corporation, company, partnership, or any other entity in which the member is part owner, or any other relationship where the member may stand to have a financial gain or loss.
- (c) The matter involves the employer or employee of the member.
- (d) The applicant or agent of the applicant on the matter before the commission is directly related to the member (spouse, child, grandchild, parent, grandparent or in-law) or a member of his or her household.
- (e) Action on the matter will result in a pecuniary benefit to the member.

The question of whether or not a conflict of interest exists is decided by a majority vote of the remaining members.

Section 2.6 Commission Action: The affirmative vote of a majority of the members present at any official meeting of the commission shall be necessary for the adoption of any resolution or other voting matter. However, the affirmative vote of 6 members, regardless of if vacancies or absences exist, shall be necessary for the adoption, or recommendation for adoption, of any land use

plan or amendment to a land use plan. The reasons for commission action shall be specified in writing.

Section 2.7 Conduct of Meetings: All meetings shall be open to the public, and members of the public shall be permitted to address the meeting in accordance with law, pursuant to these bylaws and the City Commission Rules pertaining to advisory boards and commissions. The order of business at the meeting shall be as follows:

- A. Call to Order
- B. Roll Call
- C. Adoption of Agenda
- D. Approval of Minutes
- E. Public Announcements and Communications
- F. Public Hearings (Public comments are welcome before each item is voted upon by the commission)
- G. Public Comments regarding Non-Agenda Items
- H. Old Business (Public comments are welcome before each item is voted upon by the commission)
- I. New Business (Public comments are welcome before each item is voted upon by the commission)
- J. Miscellaneous Comments by Planning Commissioners
- K. Adjournment

Section 2.8 Adjourned Meetings: The commission may adjourn a regular or special meeting if all business cannot be disposed of on the day set, and public notices in accordance with law shall be made for such a meeting.

Section 2.9 Robert's Rules of Order: All meetings of the commission shall be conducted in accordance with Robert's Rules of Order.

### **ARTICLE III - COMMITTEES**

Section 3.0 There shall be temporary committees established as the commission deems appropriate and necessary.

### **ARTICLE IV - AMENDMENTS**

Section 4.0 Amending Bylaws: These bylaws may be amended at any meeting of the commission if the proposed amendment is given to each member in writing at least 5 days prior to the meeting.

## ARTICLE V - AMENDMENTS TO THE MASTER PLAN/LAND USE MAPS

Section 5.0 Procedure for Amending Plan Kalamazoo (2010 Master Land Use Plan), future master plans or land use maps, neighborhood plans, or any portion of such plans:

- (a) An amendment to the current master plan or future land use map may be initiated by (i) a member of the public after submitting the required application fee as set forth by resolution of the City Commission to the city planner, (ii) city staff, (iii) the commission, or (iv) the City Commission.
- (b) The commission may, at its discretion, hold in abeyance the consideration of requests (e.g., rezonings, special use permits, PUD approvals, subdivision approvals, street vacations, etc.) within the area affected by the proposed amendment until such time as a public hearing has been held on the amendment and a decision on the amendment is reached. Unless such abeyance conflicts with the Act, the commission may delay such actions for 6 months.
- (c) A public hearing on the amendment to the master plan shall follow the procedures required under the Act, being MCL.125.3831 et.seq.
- (d) The commission may continue the public hearing on the proposed amendment for at least one month until its next regularly scheduled meeting.
- (e) The commission may request that city staff facilitate neighborhood meetings or conduct additional studies if needed. Documents and reports from city staff will be forwarded to the commission.
- (f) A resolution and an affirmative vote of 6 members shall be required to approve any amendment.
- (g) A copy of the approved amendment shall be signed by the chairperson and/or secretary of the Planning Commission and shall be certified to the City Commission. Upon final adoption of the amendment, the secretary shall provide copies to those entities who received copies of the proposed amendment for review and comment prior to public hearing. A copy may also be sent to the county register of deeds for recording.
- (h) At least every 5 years after the adoption of a master plan, the commission shall review it to determine amendments are needed to the master plan or to adopt a new master plan.

-Adopted by the Planning Commission on March 3, 2022