

**COMSTOCK TOWNSHIP PLANNING COMMISSION**  
**BYLAWS**  
*Amended September 9, 2021*

The following Bylaws are hereby adopted by the Comstock Township Planning Commission to facilitate the performance of its duties as outlined in the Planning Enabling Act, Public Act 33 of 2008.

**SECTION 1: Officers**

- A. Selection and Tenure** – At the first regular meeting each year the Planning Commission shall select from its membership a chairperson, vice chairperson and secretary. All officers shall serve a term of one year, or until their successors are selected and assume office, except as noted in C, below. All officers shall be eligible for re-election for consecutive terms for the same office. An ex officio member of the Planning Commission is not eligible to serve as chairperson.
- B. Chairperson** – The chairperson 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 Planning Commission.
- C. 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.
- D. 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.

**SECTION 2: Meetings**

- A. Regular Meetings** – The Planning Commission shall hold not less than four regular meetings each year and shall annually adopt a schedule identifying the time and place of such meetings. Other meetings may be held as necessary. Regular meetings may be cancelled by the chairperson or his/her designee if it is determined that there is insufficient new or pending business to warrant such meeting.

Notice of regular or scheduled Planning Commission meetings shall be posted at the township hall within 10 days after the Planning Commission's first meeting in each calendar year in accordance with the Open Meetings Act.

- B. Special Meetings** – Special meetings may be called by the chairperson or upon written request to the secretary by at least two members of the Planning Commission. The business the

Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act.

Written, verbal or electronic notice of special meetings shall be given to the members of the Planning Commission at least forty-eight 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. Public Records** – All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- D. Quorum** – Four members of the Planning Commission shall constitute a quorum for transacting business and taking official action for all matters. Whenever a quorum is not present, those present may adjourn the meeting to another time and day, in accordance with the provisions of the Open Meetings Act. No other action shall be taken at a meeting at which a quorum is not present.
- E. Voting and Decisions** – An affirmative vote of the majority of the Planning Commission membership is required to approve any part of the master plan or amendments to the plan. Unless otherwise required by statute or these bylaws, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the membership in attendance, 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 a conflict of interest, all Planning Commission members, including the chairperson, shall vote on all matters.

A decision on a special use permit or rezoning request will not be made on the date of the public hearing considering such item unless waived by a unanimous vote of the membership in attendance and eligible to vote on said item.

After a motion is made and before a vote is taken, the Chairperson shall call on each Planning Commission member individually to comment on the request.

- F. Agenda** – The chairperson or his/her designee shall be responsible for preparing an agenda for Planning Commission meetings.
- G. Rezoning Requests** – the Planning Commission will not allow applicants for a rezoning, other than applicants seeking a Conditional Rezoning pursuant to Section 27.50 of the Zoning Ordinance, to present or display at the public hearing any proposed site plan associated with the property being considered for rezoning nor shall special exception use approval or site plan review be considered until second reading of the rezoning has been passed by the Township Board.
- H. Citizens' Comments** – The following procedure shall be followed during the Citizen Comments portion of the Planning Commission meetings:
  - 1. A citizen shall only speak when recognized by the Chairperson.

2. When recognized by the Chairperson, a citizen shall approach the podium prior to speaking. This rule may be waived by the Chairperson in the circumstances of physical disability or other special hardship.
3. Citizen comments shall be directed to the Planning Commission.
4. A citizen may speak as follows:
  - a. Once for no more than three (3) minutes during the Citizen Comments portion of the meeting.
  - b. Once for no more than three (3) minutes during a public hearing with comments limited to the agenda item being considered by the Planning Commission at that time.

The above limitations may not be extended by another citizen's offer to donate his/her time to the speaker.

- I. **Limitations on Introduction of Agenda Items** – Agenda items shall not be introduced for discussion or a public hearing opened after 10:00 p.m. The chairperson may approve exceptions when this bylaw would cause substantial backlog in commission business.

### **SECTION 3: Conflict of Interest**

- A. Planning Commission members shall declare a potential conflict of interest and abstain from participating in Planning Commission deliberations and voting on a request when:
  1. The request for which the Planning Commission member is asked to make a decision involves his/her spouse, children, stepchildren, grandchildren, parents, brothers, sisters, grandparents, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, parents-in-law, grandparents-in-law or members of his/her household;
  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;
  3. The Planning Commission member owns or has a financial interest in the neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the zoning ordinance or other applicable ordinance; or
  4. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the Planning Commission present.

- B.** The meeting minutes will reflect the abstention.
- C.** Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office.

#### **SECTION 4: Amendments**

These bylaws may be amended at any meeting by an affirmative vote of four members of the Planning Commission.

Adopted by the Comstock Township Planning Commission at a meeting on June 8, 2017.

Amendments adopted: April 8, 2021; August 12, 2021; September 9, 2021