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Morton Township Master Plan Kick-Off

Morton Township Master Plan Kick-Off
June 6, 2024

02 The Team

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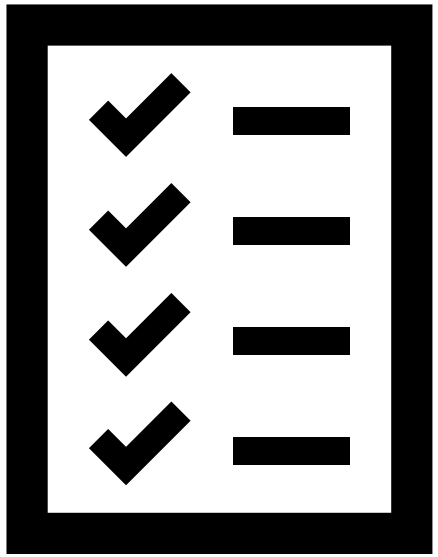
Senior Planner

Agenda

1. Project Timeline
2. Master Plan Education
3. Zoning Education
4. Prouds and Sorries
5. Next Time You See Us



04 Three Quick Questions

1. How long have you lived in Morton Township?

2. How often do you use your current master plan?

3. What is your definition of a successful master plan update?

05 Master Plan Schedule

Master Plan Update												
TASK	MONTHS											
	1	2	3	4	5	6	7	8	9	10	11	12
Kick-off Meeting/Notice to Plan	X											
Update Chapters/ Sections		X	X	X								
Public Engagement/Visioning/Open House*				X	X		X					
Review Goals, Objective, and Actions					X	X						
Future Land Use Analysis and Implementation Plan							X	X				
Public Hearing									-	-	X	
Assistance with the Adoption Process with Planning Commission and Village Council												X
Distribution												

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Master Plan

The Planning Process

Steps in the Planning Process

1. Where are we today?
Identify <u>current conditions</u>

- Land use
- Natural Features
- Infrastructure
- Population Characteristics
- Economic Characteristics

Steps in the Planning Process

2. Where do we want to go tomorrow?
Vision for the future

- “Prouds & Sorries”
- Public Attitude
- Future Goals

Steps in the Planning Process

3. What is the best way to get there?
Approach to accomplish goals

- Identify alternative approaches
- Analyze pros and cons of each alternative
- Select/revise alternatives
- Refine policies and objectives to implement plan

Steps in the Planning Process

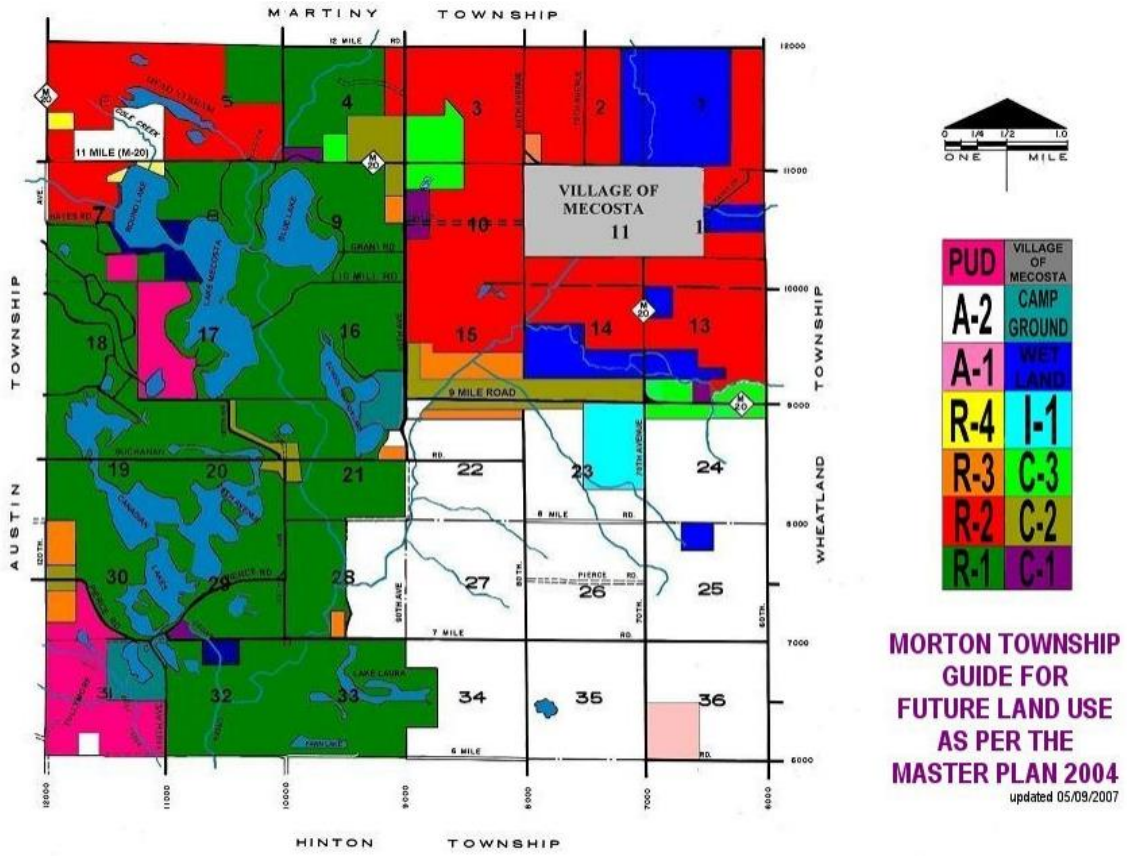
4. Let's get there!
Implement the plan

Steps in the Planning Process

5. Are we there yet?
Review the plan

- Is the plan taking us where we said we wanted to be?
- Is that still where we want to be?
- Update the plan.

13 Relationship Between Planning And Zoning



- Plans serve as the policy basis (the rationale) for zoning ordinances.
- Zoning ordinances are one of the many tools that are used to implement the plan.
- “Master plan” means the adopted or amended plan… used to satisfy the requirements of Section 203 (1) of the Michigan Zoning Enabling Act.

Section 3 (g) of the Michigan Planning Enabling Act
PA 33 of 2008

How the Plan Serves the Basis for Zoning

Zoning Ordinance	Master Plan
Zoning Districts	Future Land Use Classifications
Zoning Map	Future Land Use Map (Sort of)
Zoning Regulations	Objectives and Strategies

Statutory Authority

Michigan Planning Enabling Act 33 of 2008

- Authority to establish a Planning Commission
- Appointment and qualifications of members
- Meeting (four times a year)
- Officers (one-year terms)
- Shall adopt rules for transaction of business
- Public record
- Authority to adopt and amend Master Plan
- Contents of Master Plan
- Procedures for adoption of plan
- Review of public works (construction, recession)
- Review of plats

Role and Responsibilities

Master Plan Process

Township Board of Trustee	Planning Commission
Appoint Planning Commission Members	Prepare Draft Master Plan
Approve Planning Commission Budget	Conduct Public Hearing on Master Plan
Hire Planner	Approval of Master Plan
Authorize Master Plan for Public Hearing	Conduct Five-Year Review of Master Plan
Final Approval of Master Plan (Optional)	

Steps in the Master Plan Process		
STEPS	**ACTION**	**NOTICE/RESOLUTION**
1	Notify: • All surrounding jurisdictions • County Planning Commissions • Road Commission and MDOT if including road plan of initiating project (request approval to submit plans digitally)	Notice of Plan Initiation
2	Planning Commission finishes draft plan and submits to legislative body for approval to release for public hearing	Memo to Legislative Body
3	Legislative body authorizes public hearing and does or does not assume authority for final approval	Resolution assuming authorit final approval by legislative b
4	Notice of public hearing and transmittal of public hearing draft of plan to: • All surrounding jurisdictions • County Planning Commissions • Road Commission and MDOT if including road plan	• Notice of plan transmittal public hearing • Notice to county planning commission verifying wh was sent copy of plan
5	Notice of public hearing published in paper at least 15 days prior to public hearing	Notice of Public Hearing
6	Resolution of Adoption by Planning Commission	Resolution of Adoption by Planning Commission
7	Resolution of Adoption by Legislative Body	Resolution of Adoption by Legislative Body
8	Notice of plan adoption and transmittal of adopted plan to • All surrounding jurisdictions • County Planning Commissions • Road Commission and MDOT, if including road plan	Notice of Plan Adoption and Transmittal of Adopted Plan

Zoning Education

Procedural Issues – General

- Rules of Procedures/Bylaws
- Open Meetings
- Site Visits
- Meeting Frequency
- Conflict of Interest
- Ex Parte Contact
- Findings of Fact
- Conditions
- Creating Motions

Procedures - Bylaws

Bylaws normally identify:

- Officers and their responsibilities –
  - "A **Planning Commission** shall **elect a chairperson and secretary** from its members and create and fill other officers as it considers advisable." Ex officio member cannot serve as chairperson. The term of each officer shall be 1 year, with opportunity for reelection "as specified in bylaws"."*
- How meetings are called
- Structure of the agenda
- Voting procedures

*Section 17 Michigan Planning Enabling Act

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Procedures – Bylaws (cont)

Bylaws normally identify (cont):

- Amendments to the rules
- Annual meeting to set meeting dates
- Content of annual report
  - "A **planning commission** shall make an **annual written report** to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development."*
- Handling conflicts of interest issues (discussed later)

* Section 19 Michigan Planning Enabling Act

Procedures – Open Meetings/FOIA

All meetings of the Planning Commission, Zoning Board of Appeals, and the legislative body must comply with the Open Meetings Act which:

- Requires meetings to be open to the public
- Requires all decisions be made at a meeting open to the public
- Prohibits requiring a person to register as a condition of attending a meeting
- Must allow a person to address a meeting but rules may limit public comment to a prescribed time
- Requires a record of its proceedings is filed in the office of the clerk and be part of the public record

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Procedures – Site Visits

- Visits by a majority of the members constitutes a meeting and must be noticed
- Individuals visiting sites do not have the right to trespass and should avoid discussion with property owners (Ex Parte Contact)

Procedures – Meeting Frequency

- Planning Commissions “shall hold not less than 4 regular meetings each year, and by resolution shall determine the time.”*

*Section 21 Michigan Planning Enabling Act

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Procedures – Conflict of Interest

Membership on a Planning Commission is a position of public trust. The **public must generally perceive** that the decisions made by the members of these bodies are **not affected by personal self interest**. To ensure that, members of a Planning Commission or Township Board must **remove themselves** from participation in a matter in which there **is a real or potential conflict of interest**. This can occur if the matter involves:

- Property owned, leased, or rented by a member
- A person with whom a member has close ties (family member, etc.)
- Property owned by a relative or boss of a member
- A person with whom a member shares financial interest such as:
  - Partner
  - Borrower, lender, renter
  - Investor

Procedures – Conflict of Interest (cont)

Procedures should be in place to allow a member to identify a **potential conflict** and determine if there is a need to **exclude themselves from the process.** The determination can be made:

- By the member
- By the chairman
- On the recommendation of the body's legal counsel
- By vote of the other members

The procedures and standards for recognizing a conflict of interest should be in either:

- The ordinance establishing the Planning Commission
- The Planning Commission bylaws

Procedures – Conflict of Interest (cont)

It is generally recommended that the bylaws prohibit a member with a conflict of interest from:

- Voting on the matter
- Participating in the discussion on the matter
- If possible, they should leave the meeting during the discussion or at least leave the “table” during the discussion.

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Procedures – Ex Parte Communication

It is common for the **ZBA or Planning Commission member** to discuss a **pending issue** with an applicant during a visit to the site.

- This type of discussion outside the meeting, referred to as **"ex parte contact"** is generally **not prohibited** (but should be **discouraged**) in cases where the governmental body is **not making the final decision.**
- However, when the **Planning Commission** is **considering a site plan or special land use,** or when the **ZBA** is considering an **appeal, interpretation, or variance, ex parte contact is inappropriate.**

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Procedures – Ex Parte Communication (cont)

If someone **contacts you concerning a matter** that falls **under these standards,** simply **explain** to them that you **should not discuss the issue with them outside the meeting.**

- If you go to **visit the site** of a proposed site plan, etc., and someone wants to “show you around”, let the **property owner know** and that **you should not discuss their case with them**.
- The **basis** for this rule is that to have discussions in **private with the applicant** (or someone who opposes a request) can “taint” **your decision-making process and lead to an appearance of bias.**

Procedures –Findings of Fact

- All administrative decisions (site plans and conditional use requests) made by the Planning Commission should include “findings of fact”.
- The facts that serve as the basis for the motion should be included in the motion.
- Some communities have a separate motion to agree to the findings of fact than one to approve/disapprove.

Procedures – Creating Motions

- Important to include in a motion
  - Action – approval, denial, postpone, etc.
  - Location – parcel number or address
  - What is being done – site plan, variance size, and direction
  - Conditions – limit hours of operation, addition trees, etc.
- We provide suggested motions: including approval, denial, or postponement.
- It is important these full motions are read out loud so that the public and applicant are clear on what is being voted on.

Prouds and Sorries

Prouds

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-
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Sorries

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-
-

Next time You See Us

- What additional plans or information do we need a copy of?
- How would you like to receive the Planning Commission packets?
  - Mailed to the township to distribute
  - Mailed to the individual Planning Commission Members
  - Emailed to the **township** or Planning Commission Members
- What did we miss tonight?

Next time You See Us Cont.

- Chapter Updates
  - Introduction
  - Demographics
  - Natural Features
  - Existing Land Use
  - Goals, Objectives and Tasks
  - Land Use Plan
  - Zoning Plan
  - Appendix

Thank You!

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