

ORDINANCE #108

AN ORDINANCE TO ESTABLISH A VILLAGE PLANNING COMMISSION PURSUANT TO ACT 285 OF THE PUBLIC ACTS OF 1931 AS AMENDED, AND TO SET FORTH ITS POWERS AND DUTIES WITH REGARD TO LAND USE PLANNING AND ZONING FOR THE VILLAGE OF SPRINGPORT, TO READ AS AMENDED.

THE VILLAGE OF SPRINGPORT ORDAINS:

Section 1. **ESTABLISHMENT OF VILLAGE PLANNING COMMISSION**

There is hereby created the Village Planning Commission of the Village of Springport to serve as a municipal planning commission as provided in Act 285 of the Public Acts of 1931 as amended. The Village Planning Commission shall be a public body and shall exercise its statutory powers and duties together with such other responsibilities as may be delegated to it by this or other ordinances or resolutions of the Village Council.

Section 2. **MEMBERS; TERM; VOTING RIGHTS; COMPENSATION; REMOVAL; VACANCIES**

The Commission shall consist of one member of the Village Council to be selected by resolution of the Village Council to serve as a member ex officio, and four other persons who shall be appointed by the Village President subject to the approval by a majority vote of the members elect of the Village Council. The four appointed members shall be residents of the Village of Springport and shall represent insofar as is possible different professions or occupations. An appointed member shall not hold another municipal office except that one of the appointed members may be a member of the zoning board of adjustment or appeals or a member of a joint fire administrative board.

The term of the ex officio member shall be determined by the Village Council and shall be stated in the resolution selecting the ex officio member, but the term shall not exceed the member's term of office as a trustee of the Village Council. The term of each appointed member shall be three years or until his or her successor takes office except that the respective terms of one of the members first appointed shall be for one year and two for two years.

The ex officio member selected hereunder shall have full voting rights.

All appointed members of the commission may be compensated at a rate to be determined by the Village Council

After public hearing, a member other than the member selected by the Village Council may be removed by the Village President for inefficiency, neglect of duty, or malfeasance in office. The Village Council may for like cause remove the member selected by the Village Council.

A vacancy on the Village Planning Commission occurring otherwise than through the expiration of term shall be filled for the unexpired term by the Village President in the case of a member appointed by the Village President, and by the Village Council in the case of a member selected by the Village Council.

Section 3. **ORGANIZATION; MEETINGS; RULES; RECORDS**

The Village Planning Commission shall elect its chairperson from amongst the appointed members and create and fill such other of its offices as it may determine. The term of chairperson shall be one year, with eligibility for re-election. The Village Planning Commission shall hold at least one regular meeting in each month. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record.

Section 4. **EMPLOYEES; CONTRACTS FOR SPECIAL SERVICES,
SOURCE AND LIMIT ON EXPENDITURES**

The Village Planning Commission may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion, and removal shall be subject to the same provisions of law as govern other corresponding civil employees of the Village of Springport. The Village a Planning Commission may also contract with municipal planners, engineers, architects, and other consultants for such services as it may require. The expenditures of the Village Planning Commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the Village Council, which shall provide the funds, equipment, and accommodations necessary for the Village Planning Commission's work.

Section 5. **MASTER PLAN**

The Village Planning Commission shall make and adopt a master plan for the physical development of the Village, including any areas outside of its boundaries which, in the Village Planning Commission's judgment, bear relation to the planning of the Village. The plan, with the accompanying maps, plats, charts, and descriptive matter, shall show the Village Planning Commission's recommendations for the development of the territory, including, among other things, the general location, character, and extent of streets, viaducts, subways, bridges, waterways, flood plains, water fronts, boulevards, parkways, playgrounds and open spaces, the general location of public buildings and other public property, and the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; also the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the

foregoing ways, grounds, open spaces, buildings, property, utilities or terminals, the general location, character, layout and extent of community centers and neighborhood units; and the general character, extent of community centers and neighborhood units; and the general character, extent and layout of the replanning and redevelopment of blighted districts and slum areas; as well as a zoning plan for the control of the height, area, bulk, location, and use of buildings and premises. As the work of making the whole master plan progresses, the Village Planning Commission from time to time may adopt and publish parts thereof, any such part to cover one or more major sections or divisions of the Village or one or more of the aforesaid or other functional matters to be included in the plan. The Village Planning Commission from time to time may amend, extend, or add to the plan.

Section 6. **STANDARDS AND PURPOSE OF MASTER PLAN**

In preparation of the plan the Village Planning Commission shall make careful and comprehensive surveys and studies of present conditions and future growth of the Village and with due regard to its relation to the neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the municipality and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.

Section 7. **ADOPTION PROCEDURE**

The Village Planning Commission may adopt the plan as a whole by a single resolution or may by successive resolutions adopt successive parts of the plan, said parts corresponding with major geographical sections or divisions of the Village or with functional subdivisions of the subject matter of the plan, and may adopt any amendment or extension thereof or addition thereto. Before the adoption of the plan or any such part, amendment, extension, or addition, the Village Planning Commission shall hold at least one public hearing thereon, notice of the time and place of which shall be given, not less than 15 days prior to such hearing, by one publication in a newspaper of general circulation in the Village and in the official gazette, if any, of the Village, and by registered United States mail to each public utility company and to each railroad company owning or operating any public utility or railroad within the geographical sections or divisions of the Village affected. The adoption of the plan or of any such part, amendment, extension or addition shall be by resolution of the Village Planning Commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the Village Planning Commission to form the whole or part of the plan, and the action taken shall be recorded on the map and plan and descriptive matter by the identifying signature of the chairperson and/or secretary of the Village Planning

Commission. An attested copy of the plan or part thereof shall be certified to the Village Council and to the Jackson County Register of Deeds.

Section 8. **OTHER STATUTORY FUNCTIONS**

The Village Planning Commission shall exercise all statutory authority and carry out all statutory duties as set forth in Act 285 of the Public Acts of 1931 as amended and Act 222 of the Public Acts of 1943 as amended, including the review and approval of proposed public works and public improvements and the review and approval of proposed plats.

Section 9. **OTHER DELEGATED FUNCTIONS**

The Village Planning Commission, subject to the provisions of Act 207 of the Public Acts of 1921 as amended, and other applicable statutes, shall review applications and proposals and provide recommendations to the Village Council and other appropriate officials with regard to all matters of land use, including, but not limited to, the following:

- a) Requests for changes in the zoning map;
- b) Requests for amendments to the zoning ordinance;
- c) Requests for site plan approval;
- d) Requests for special land use permits;
- e) Requests for land division approval;
- f) Requests for wetlands and flood plain use permits;
- g) Other land use matters referred to the Village Planning Commission by the Village Council; and
- h) Other land use matters on which the Village Planning Commission wishes to submit a recommendation to the Village Council.

Section 10. **SEVERABILITY**

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

Section 11. **EFFECTIVE DATE**

This ordinance shall become effective upon publication, _____.

Adopted: _____

Village President

Village Clerk

Reviewed by:

Jill M. Booth, Village Attorney

AMENDED: SECTION 2 AND SECTION 7 on the 8th day of April 1998.