

## ORDINANCE NO 178

### **AN ORDINANCE ESTABLISHING A CITY PLANNING COMMISSION: PRESCRIBING ITS POWERS AND DUTIES. THIS ORDINANCE REPEALS ORDINANCE 167 AND REDEFINES THE DUTIES OF THE PLANNING COMMISSION.**

**The City of Detroit ordains as follows:**

**SECTION 1:** There is hereby re-established and re-created a City Planning Commission, herein referred to as the Commission, for the City of Detroit.

**SECTION 2:** The Commission shall consist of seven members who are not officials or employees of the City. Members must be residents of the City for at least one year. The Mayor shall serve as an ex-officio member of the Commission, with the right to take part in its discussions, but shall not have the right to vote. **Commission members will not be compensated.**

**Section 3:** Members of the commission shall be appointed by the Mayor, with the approval of the majority of the City Council, for terms of two years.

**Section 4:** Appointments to fill vacancies on the Commission shall be for the remainder of the un-expired term and in the same manner as set forth for appointment of all Commission members, by the Mayor with the approval of the majority of the City Council. Any member of the Commission may be removed by the City Council, after hearing for misconduct or non-performance of duty. A member, who is absent from three consecutive meetings, without an excuse approved by the Commission, is presumed to be in non-performance of duty and the City Council shall declare the position vacant unless finding otherwise following the hearing. Removal of any member of the Commission shall be only upon a majority vote of the entire council of the city.

**Section 5:** At its first meeting of each calendar year, the Commission shall elect a Chairman and a Vice Chairman who shall be voting members of the Commission to serve one year terms.

**Section 6:** The City Recorder shall act as secretary to the commission. The secretary shall keep an accurate record of all Commission proceedings. All meetings shall be taped. Tapes shall be kept at City Hall and become property of the City. The Commission shall report the same to the next regularly scheduled meeting of the council.

**Section 7:** A majority of the members of the commission shall constitute a quorum. The Commission shall meet at least once a month. Meetings of the Commission shall be open to the public. Meetings other than at regularly scheduled times may be announced at a prior meeting and thereby made a part of the minutes. The Chairman, upon his own motion may, or at the request

of three members of the Commission, by giving notice to the members of the Commission, call a previously unannounced special meeting of the commission for a time not earlier than twenty-four hours after the notice is given. Notice of a previously unannounced meeting shall be posted at City Hall and to the extent feasible, provided to interested persons a least twenty-four hours prior to said meeting.

**Section 8:** It shall be the duty of the Commission, and it shall have the power, except as otherwise provide by law:

- A. To make recommendations to the council for revisions, additions and updates of the City's currently adopted Comprehensive Plan and Development Ordinance as provided by respective ordinances.
- B. To work as an advisory staff to the City Council in reviewing subdivision plats.
- C. To review and suggest changes in planned unit development applications to insure consistency with the Development Ordinance and compatibility with surrounding developments.
- D. To recommend and make suggestions to he City Council and to all other public authorities concerning the layout, widening, extending and locating of streets and parking areas; sidewalks and boulevards; relief for traffic congestion; betterment of zones or districts; limiting the use, height, area and bulk of the buildings and structures.
- E. To recommend to the City Council and all other public authorities, plans for regulation of further growth, development and beautification of the municipality with respect to its public and private buildings and works, streets, parks, grounds and vacant lots consistent with future growth and development of the City and its inhabitant's sanitation, proper service of all public utilities and transportation facilities.
- F. To study and propose, in general, such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the City and within the Urban Growth Boundary.
- G. To exercise any expressed or implied power, right or act pursuant to this ordinance.
- H. To exercise any expressed or implied power or duty which is now or may hereafter be assigned to it by the Charter, Ordinances or Resolutions of this City and the general laws of the state.

- I. To prepare and establish rules for the conduct of Commission meetings. Said rules shall be effective only upon approval by majority of the City Council.
- J. All recommendations will be made to the City Council, which will retain the right to have the final decision in any matter.
- K. To conduct Public Hearings and deliberations on all amendments to the Zone Code, Comprehensive Plan and Development Ordinance; applications for zone changes, variance permits, conditional use permits; or any other hearings specified in the City of Detroit Zone Code Ordinance. Commission decisions on Variance and Conditional Use applications shall be termed an "Order" and shall be deemed a recommendation to the City Council. Recommendations to the council shall be made in writing on all procedures.

**Section 9:** All recommendations, reports and suggestions made to the City Council by the Commission shall be in writing. Said writing shall be signed and acknowledged by the Chairman and Vice-Chairman.

**Section 10:** The Commission shall have no authority to make expenditures on behalf of the City, not to obligate the City for payment of any sums of money, except as herein provided, approved and authorized by the City Council. All requests for payment shall be submitted to the City Council at the next regularly scheduled meeting and moneys shall be expended for the Fund of the City Budget directly affected.

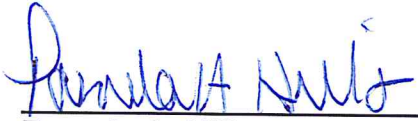
**Section 11:** This Ordinance repeals Ordinance 167 and redefines the duties of the Planning Commission.

**Section 12:** If a quorum of the Commission is not available for any procedure requiring a Public Hearing, the applicant may request that the hearing be set before the next regularly scheduled meeting of the City Council. If the City Council conducts the Public Hearing, the City Council shall be the public body to make the decision.

**First reading in full before the City Council of the City of Detroit on December 12, 2000.**

**Second reading and ADOPTION by the City Council of the City of Detroit this 9<sup>th</sup> day of January 2000.**

Ordinance 178 signed by the Mayor this 9<sup>th</sup> day of January 2000 and becomes effective on the thirtieth day after enactment.



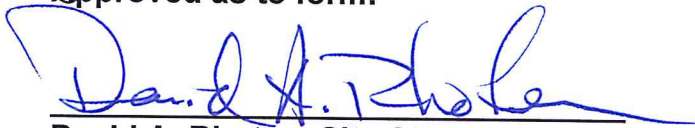
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Pamela A. Hills, Mayor

Attest:



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Sandra K. Furbish, City Recorder

Approved as to form:



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David A. Rhoten, City Attorney