

MINUTES

PRAIRIE RONDE TOWNSHIP PLANNING COMMISSION

June 21, 2022

A session of the Planning Commission was called to order by Chair Lynn C. McDaniel at 7:00 p.m. Members present: Dennis L. Hice, Bonita L. Landis, and Frederick J. Taylor. Also present: Township Supervisor Michael Tomlinson and Jodi Stefforia.

It was moved by Commissioner Taylor with support from Commissioner Hice to approve the proposed Agenda. Motion carried.

It was moved by Commissioner Landis with support from Chair McDaniel to approve the corrected minutes of the regular Prairie Ronde Township Planning Commission meeting on April 19, 2022. Motion carried.

Public Comments on Non-Agenda Items: None.

Unfinished Business: None.

New Business: The Planning Commissioners reviewed Township Attorney Rolfe's 2022 correspondence regarding summary of legal steps to amend/update the Prairie Ronde Township Master Plan. (See attached).

It was moved by Commissioner Landis with support from Commissioner Hice to commence a procedure to amend the Prairie Ronde Township Master Plan adopted in 2002, as amended/updated in 2010, pursuant to the Planning Commission's preliminary review of the existing Master Plan and our finding that the plan needs to be updated/amended in various respects, to be more specifically articulated by the Planning Commission pursuant to a more detailed review of the existing Master Plan.

Report from Zoning Appeals Board: None.

Members' Time: Thank you to Commissioner Landis for her delicious rhubarb crisp.

Commissioner Taylor thanked the Township and his fellow Commissioners for allowing him to serve the residents of Prairie Ronde Township for many years and announced his retirement from the Planning Commission effective immediately.

It was moved by Commissioner Hice with support from Commission Taylor to adjourn the meeting at 7:50 p.m. Motion carried.

Respectfully submitted:

PRAIRIE RONDE TOWNSHIP
PLANNING COMMISSION

A handwritten signature in black ink, appearing to read 'F. J. Taylor', written in a cursive style.

Frederick J. Taylor
Secretary

clw

Next regular meeting will be Tuesday, August 16, 2022, at 7 p.m.
at the Prairie Ronde Township Hall.

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May 4, 2022

Via email only

Lynn McDaniel, Chairperson
Michael Tomlinson, Supervisor
Prairie Ronde Township

RE: Summary of legal steps to amend/update the Prairie Ronde Township Master Plan

Dear Lynn & Mike:

I understand the Planning Commission is undertaking a periodic review of the existing 2022 Master Plan adopted in 2002, as subsequently updated in 2010, and has preliminarily determined that Plan is in need of some amendments/updates. I also understand the Township Board will likely formally approve at its May 10 meeting a contract with Jodi Stefforia to provide some planning consultant services with respect to this Master Plan amendment/update project.

As a follow-up to our recent telephone conversation in this regard I am providing the requested summary of the steps associated with amending/updating the existing Master Plan. I encourage the Planning Commission and Township Board to use this summary to develop a "work plan" for the Master Plan update process, including assigning a projected time parameter for each of the steps. This summary includes a potential timeframe for each of the steps.

For purposes of this correspondence I will use the term "amend" to cover any updating of the existing Plan, including any substantive changes to the Plan text or Future Land Use map. The statutory citation included with each of these steps provides a reference to the pertinent part of the governing Michigan Planning Enabling Act. The procedure to adopt a new Master Plan basically follows the same statutory process.

Step 1--The Planning Commission reviews the existing Master Plan and determines whether to commence the procedure to amend the Master Plan (or adopt a new Master Plan). This review and the resulting Planning Commission findings is required to be recorded in the minutes of the relevant PC meeting or meetings. *MCL 125.3845(2)*.

Note: If, as a result of this review, the Planning Commission decides to commence the procedure to amend the existing Plan a motion responsive to the "findings" requirement would be as follows:

"I make a motion to commence the procedure to amend the Prairie Ronde Township Master Plan adopted in 2002, as amended/updated in 2010, pursuant to the Planning Commission's preliminary review of the existing Master Plan and our finding that the Plan needs to be updated/amended in various respects, to be more specifically articulated by the Planning Commission pursuant to a more detailed review of the existing Master Plan".

Board
Dennis
Mick

This motion can be adapted as appropriate if the Planning Commission instead chooses to replace the existing Master Plan with a completely new Master Plan.

I understand the Planning Commission will likely take this step at its June 21 meeting.

Step 2---A Notice of Intent to prepare Master Plan amendments is prepared and processed. *MCL 125.3839(2)*.

The Act requires this Notice, explaining that the Planning Commission intends to prepare Master Plan amendments, and requesting the recipients cooperation and comment, be sent to:

- The Planning Commission of each municipality located within or contiguous to Prairie Ronde Township (or if there is no Planning Commission, to the legislative body).
- The Kalamazoo County Planning Commission.
- The Regional Planning Commission (optional).
- Each public utility company owning or operating a public utility within Prairie Ronde Township.
- Each railroad company owning or operating a railroad within Prairie Ronde Township.
- Each public transportation agency owning or operating a public transportation system within Prairie Ronde Township.
- Any government entity that registers its name and mailing address with the Planning Commission for purposes of the Act.
- The Road Commission of Kalamazoo County.
- The Michigan Department of Transportation (if applicable).

Note: The statute provides some additional requirements relating to the sending of this Notice of Intent. Supervisor Tomlinson has indicated the Township will request the Township Attorney handle all aspects of this Notice of Intent, as well as any other notice requirements at other steps of the process.

If the Planning Commission takes Step 1 at its June 21 meeting, my office should be able to implement this Step 2 before the end of June.

Step 3---The Planning Commission prepares in coordination with the planning consultant a resident survey/questionnaire relevant to the anticipated Plan update/amendment project. This step is not required by the governing statute, but is often considered a useful component of a Master Plan update/amendment project.

I understand the Township anticipates this resident survey to be prepared and processed so as to have the results tabulated for review by the Planning Commission at a meeting in August-September.

Step 4---The Planning Commission prepares the specific proposed amendments of the existing Master Plan (text and/or Future Land Use map). *MCL 125.3831.*

Note: At this step the Planning Commission may wish to consider whether to propose a "subplan" for a specific geographic area of the Township, if more intensive planning is necessary because of the unique physical characteristics of that area. See *MCL 125.3835.*

Considering the likely limited scope of the anticipated Master Plan update/amendments, this Step 4 of the process could be undertaken in June-September.

Step 5---After preparing the proposed Master Plan amendments, the Planning Commission submits the proposed amendments to the Township Board for review and comment, and for Township Board approval to distribute the proposed amendments for the next step of the process. *MCL 125.3841(1).*

Note: The Township Board may choose to use this "review and comment" step as an opportunity to engage with the Planning Commission on the substance of the proposed amendments. However, at this step the Township Board may also choose to approve the distribution of the proposed amendments, for the next step of the process, without a detailed review and/or comment on the substance of the proposed amendments. With either approach the process does not proceed further unless and until the Township Board approves the distribution of the proposed Master Plan amendments. If the Township Board approves the distribution of the proposed amendments, the Township Board notifies the Planning Commission Secretary of that approval.

Based on the above hypothetical timeframe for the prior steps of the process, the Township Board could potentially be at this Step 5 of the process in September-October.

Step 6---The Planning Commission Secretary submits a copy of the proposed Master Plan amendments, for review and comment, to all of the same entities to which the previous Notice of Intent was required to be sent (Step 2). *MCL 125.3841(2)*.

The Planning Commission Secretary is required to concurrently submit to the County Planning Commission a statement that the requirements of this part of the Act have been met. *MCL 125.3841(2)(e)*.

I will handle these steps directly as the designee of the Planning Commission Secretary, after the Township Board has approved pursuant to Step 5 the distribution of the proposed Plan amendments.

The sending of the proposed Master Plan amendments to these entities begins a 42 day period of time for those entities to submit comments on the proposed amendments to the Planning Commission. *MCL 125.3845(1)(b)*. Any such comments are advisory only, but would presumably be given such consideration as the Planning Commission deems appropriate before finalizing the proposed amendments for public hearing.

Note: This review and comment period is 63 days if a completely new Master Plan is proposed, instead of proposed amendments to the existing Plan.

Step 7---The Planning Commission is required to hold at least one public hearing on the proposed Master Plan amendments. This public hearing cannot be held until after the expiration of the 42 day (or 63 day) entity "review and comment" opportunity covered by Step 6. *MCL 125.3843(1)*.

Note: This public hearing is subject to various legal notice requirements which operate so as to require the notices to be given at least 15 days before the date of the public hearing. The date of the public hearing can be set, and the required notices given, while the Step 6 comment period is still pending.

Based on the hypothetical schedule for the prior steps of the process, this Planning Commission public hearing would not likely be held until at least November-December of 2022.

Step 8---After the public hearing, the Planning Commission may act at the same meeting, or at a subsequent Planning Commission meeting, to approve the proposed Master Plan amendments as submitted for public hearing, or with changes the Planning Commission deems appropriate. The Planning Commission's approval of the proposed amendments must be expressed by a formal resolution. *MCL 125.3843(2)*.

Note: If the Planning Commission desires to approve the proposed amendments with some changes, depending on the scope of the changes it may be necessary to re-do one or more of the previous steps of the process. Consult the Township Attorney in this situation.

Based on the hypothetical schedule for the previous steps of the process, the Planning Commission would potentially be in a position to take this action in late 2022.

Step 9---The Planning Commission Secretary submits a copy of the proposed Master Plan amendments as approved by the Planning Commission to the Township Board. *MCL 125.3843(2)*.

I will handle this step as the designee of the Planning Commission Secretary, contemporaneous with the underlying Planning Commission action.

Step 10---The Township Board reviews the proposed Master Plan amendments as approved by the Planning Commission, and decides whether to approve or reject those proposed amendments. *MCL 125.3843(3)*.

Note: If the Township Board rejects the proposed Master Plan amendments as approved by the Planning Commission, the Township Board is required to submit a statement of its objections, which the Planning Commission is required to consider, and revise the proposed amendments so as to address those objections. The Planning Commission approval and Township Board final approval steps are repeated until the Township Board has granted its final approval (which should be evidenced by a formal resolution). *MCL 125.3843(4)*.

Based on the hypothetical schedule for the previous steps of the process, the Township Board could potentially be at this Step 10 of the process in late 2022 or early 2023.

Step 11---Upon final adoption of the Master Plan amendments, the Planning Commission Secretary is required to submit copies of the approved/adopted amendments to the same entities to which copies of the proposed amendments were required to be submitted under Step 6. *MCL 125.3843(5)*.

I will handle this step as the designee of the Planning Commission Secretary, contemporaneous with the underlying Township Board action.

Step 12---At the conclusion of the process a statement recording the approval of the amendments by the Township Board, signed by the Clerk, is required to be included on the inside of the front or back cover of the amended Master Plan. *MCL 125.3843(3)*.

I will assist the Clerk with this Step 12 of the process, contemporaneous with the underlying action by the Township Board.

Cautionary note: This is an abbreviated summary of the steps required by the Michigan Planning Enabling Act for consideration of Master Plan amendments. The provisions of the Act pertinent to each step include various additional specifics to properly implement each step. I strongly advise involving the Township Attorney in each step of the process to be sure the process is undertaken without any legal defect that could potentially imperil the validity of the adopted amendments.

Finally, I will use this opportunity to note that while the Planning Commission is working on the Master Plan amendments it may also permissibly identify potential changes to the Zoning Ordinance (text and/or map) that will be guided by the Master Plan amendments, if adopted. However, the Planning Commission may also defer this zoning text and/or map review until after the Master Plan amendment process has been completed.

Sincerely,

Craig A. Rolfe
(electronic signature)

Craig A. Rolfe

CAR/sls

cc (via email only): Jodi Stefforia, Planning Consultant
Dale Smith, Clerk