

## **PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of August 5, 2020**

**SUBJECT: Proposed Planning Commission By-Laws Updates**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission moves to accept the proposed amendments for future consideration at the August 18, 2020 Planning Commission Meeting.

### **STAFF REPORT**

As stipulated in the current version of the Planning Commission By-Laws, annual review and consideration of the By-Laws is required. To this end, the Planning Commission and staff have been reviewing the By-Laws for any proposed revisions. Additionally, the City Attorney's Office has now completed review of the By-Laws, and the attached version represents modifications based on this cumulative review. Also pursuant to the By-Laws, any amendments are presented to the Planning Commission at a meeting in advance of any consideration to adopt the By-Laws. After Planning Commission action, they will be forwarded to the City Council for adoption.

The proposed By-Laws have been generally amended as follows:

- Numerous language references to be more consistent with applicable City policies and other city board/commission by-laws.
- Label changes (e.g. "members of the public" in place of the former "citizens", "Public Comment" in place of "Audience Participation").
- Simplified numeric conventions (spelling out, or numeric symbols, but not both).
- Clarity and intent language to clarify standards (e.g. adding "To maintain public confidence in the objectivity of the Commission. . . " in describing restrictions of potential conflicts of interest).
- Eliminating any secret ballot provisions, as such provisions are not in the spirit or intent of open meetings and transparency.
- Clarifying those actions that require a majority of members present.
- Adding Planning Manager authorization to cancel a meeting when there is no business, a quorum is clearly doubtful, or weather/emergency/or other circumstance.
- Adjustments to provide flexibility in agenda order, removing qualifiers (i.e. "Public Hearing and Commission Discussion of Each Item" from Regular Business heading).
- Shift Planning Commission review of Planning Manager to "Upon Request by the Community Services Administrator."

The following has not been proposed in the Draft By-Laws, but staff raises as discussion item:

State Planning Enabling Legislation and Open Meetings Act requirements, as well as City of Ann Arbor Ordinances, collectively provide resulting in public comment opportunities during meetings. The By-Laws currently exceed these requirements by

providing multiple public comment opportunities, in addition to those hearings that are held in conjunction with individual planning petitions.

One of these public comment opportunities could be eliminated if the Planning Commission considered it would be beneficial in the context of any reduction in meeting time, or the ability to spend comparable time on petitions. If considered, eliminating the public comment period near the end of the meeting would focus such general input on the more predictable timeframe at the outset of a meeting.

Attachment: 7/31/20 Draft Bylaw Amendments