



CITY OF CHELSEA

CHELSEA PLANNING COMMISSION NOTICE OF WORK SESSION

Notice is hereby given that the Chelsea City Planning Commission will hold a Work Session on Tuesday, May 7, 2013 at 7:00 P.M. at the City Offices, 305 S. Main Street, Lower Level, Chelsea, Michigan.

The purpose of the meeting will be to discuss the following items:

- Discussion regarding the 5 year review process of the Master Plan.

Persons requiring reasonable accommodations due to disabilities in order that the meeting is accessible to them are requested to notify the Chelsea Planning Commission of such disability no later than five (5) business days prior to the date of the meeting.

George Kinzer, Chair

**PLANNING COMMISSION WORKSESSION MINUTES
MAY 7, 2013, 7:00 P.M.
CHELSEA CITY OFFICES, LOWER LEVEL
305 S. MAIN ST., SUITE 100, CHELSEA MI, 48118**

Members Present: Chairman George Kinzer, Darlene Stanley, Melissa Johnson, Rich Montoye, Erik Larsen, Sarah Haselschwardt and Larry Ledebur

Members Absent: Robert Stephens and Jack Garland

Others Present: Planning, Engineering, Zoning & Community Development Director Christine Linfield, City Planner Carl Schmolt, City Council Trustee Cheri Albertson

Meeting called to order at 7:01 p.m. by Chairman Kinzer.

Chair Kinzer informed the planning commission that originally the work session was posted as a Special Meeting in order to discuss proposed changes to 140 Buchanan Street owned by Chelsea Milling Company. Shortly after posting the notice in the paper, Chelsea Milling removed their item from the agenda and the Special Meeting was canceled. This cancellation reverted the meeting back to a regular work session. The only item on the work session agenda is to discuss the process for the required 2013 five review review of the 2008 City of Chelsea Comprehensive Plan.

Chair Kinzer also reported that the May 15, 2013, Roberts Rules of Order training (9:00 am to noon) was canceled due to scheduling conflicts. It has been rescheduled as an evening session on December 5, 2013 (6:00 pm to 8:00 pm).

Chair Kinzer started the discussion of the required five year review of the City of Chelsea Comprehensive Plan. The current plan was reviewed in 2005 and was extensively revised due to increased construction & residential growth. The plan was also updated to reflect the 2004 change from the Village of Chelsea to the City of Chelsea. The 2005 plan was completely redone by LSL Planning, Inc. and was adopted in 2008.

To start the discussion process, Carl Schmolt went over the basics of what a comprehensive plan is and what it entails. He reported that the plan is a planning tool and more of a policy statement of what we see now as a vision of our community and is not an end state or fixed document. The plan must be flexible and not definitive because there are future developments and uses of land that are unknown and cannot be planned for. The planning process is what is important along with the text and he advised that the commission should not place as much emphasis on the maps for they can always be amended for future applications. The text of a plan is the most important because that is the basis for the Zoning Ordinance Regulations. Carl Schmolt also advised that the law requires a review of your plan every five years. Things to keep in mind are to look at

what has changed (or not) in the community that would have a effect on the city's vision. Also, look at if there is any change outside the city as well.

Christine Linfield discussed the review process with the planning commission. At a minimum, the commission will need to invest time into scheduling 2-3 work sessions to review the entire document for possible revisions. After the commission conducts it's review, the decision needs to be made to determine if the community's vision has significant changed or if other outside factors have changed to warrant an amendment to the plan. As part of that decision making process, an additional work session or open house will be held with the City Council and the general public. If the commission decides that no changes need to be made, then a motion is made at a regularly scheduled meeting that the plan was reviewed and re-adopted with no changes for another five years. If the commission decides that the plan needs to be updated, then the amendment process outlined in Municipal Planning Act must be followed. This process requires a greatly expanded notification process that includes more input from such organizations as neighboring governmental agencies, regional planning agencies, utility companies and the railroad.

Christine Linfield also reported that staff was attempting to do as much work in house for this review. If during the review process, the planning commission is considering a complete rewrite of the plan, then outside consultants will need to be hired to assist with the expanded work load.

Carl Schmult recommended that the planning commission determine among themselves first if an amendment is warranted and then take outside input from the public.

The planning commission came to the consensus that it would like to start reviewing the Comprehensive Plan at the June work session. The six chapter plan will be divided over 2-3 work sessions with staff providing current census data for the commission to review.

Adjourned at 8:35 pm.

Respectfully Submitted,



Christine L. Linfield
Planning, Engineering, Zoning &
Community Development Director

Work Session Agenda Comprehensive (Master) Plan Review

Discussion Items

1. What is a Comprehensive Plan?
2. Why is a review required?
3. What is the history of the City of Chelsea Comprehensive Plan?
4. Comprehensive Plan Review vs Amendment Process
 - A. In order to determine if any amendments are desired, the Planning Commission will need to thoroughly review the existing plan. This review should be well documented and should be spread over several work sessions. Staff is proposing that the minimum process be spread over 2-3 work sessions, with a final session to take public & city council comments. If the commission decides to not amend the document, then a motion is made documenting the decision and the plan will be valid for another five years.
 - B. If the Planning Commission decides after the review that the plan needs to be amended, then the process defined in the attached Michigan Municipal League One Pager Plus must be followed. This process requires that notices be sent to all planning commissioners in adjacent townships and also to the county/regional planning commission for comments. The same notice must be sent to all public utility companies and the railroad. This process was followed during the 2005 amendment, which took three years to complete and cost approximate \$38,000 in fees from outside consultants.
6. Set schedule for upcoming work sessions to review chapters of the plan.

Introduction

In 2002, the Michigan Legislature amended the Municipal Planning Act, PA 285 of 1931, to revise the legal processes necessary to adopt a new or amended Master Plan. Sometimes referred to as "The Coordinated Planning Act," the amendment greatly expanded the notification process and the degree of involvement of the governing body. Municipalities wishing to begin work on a new master plan, or amend an existing plan, must now follow this process.

Preplanning

Notice to Plan

Municipalities beginning the planning process to adopt a new or amend an existing master plan must first send a notice by first class mail to the planning commissions of **every** township, village or city located within or contiguous to the city or village **and** to the county planning commission. If an adjoining community has no planning commission, the notice goes to the legislative body. If there is no county planning commission, then notice must go to the regional planning commission for its comments. The same notice must also be sent to any railroad company or public utility that *registers* for such a notice with the city or village. Other governmental entities that can register to become a part of the planning process include airports, downtown development authorities (DDA), tax increment finance authorities (TIFA), school boards, road commissions and other local governmental units.

The *notice of intent to plan* should state that the municipality is beginning a planning process and request cooperation and comments from adjacent communities. This would also present an opportunity for the municipality to request the planning and zoning documents from those communities to assist in its planning process.

Although there is no specified time limit for the notice, presumably it should be sent before any substantive work is begun.

The Planning Process

No particular requirements are noted for the actual planning process. The law only states that certain elements be included in the master plan if they are relevant to the municipality.

These include:

- A land use plan and program.
- General location, character and extent of transportation systems and infrastructure, public utility systems, and other similar facilities.
- Recommendations for blighted areas and changes to streets, open space, buildings, utilities, etc.
- Recommendations for implementing any of the plan's proposals.

The Planning Commission is still given the authority to write the plan, but the adoption process has changed to involve the municipality's governing board. Accordingly, planning commissions should seriously consider actively involving the board in the planning process.

Plan Review

Distribution of the Plan

Once the plan has been drafted, it must be submitted to the governing body for its review and comment. If the council is generally satisfied with the plan, or at least comfortable with sending it out to the public, it may then approve the plan for distribution. This initial approval is intended to provide an opportunity for both the planning commission and the governing body to state its support for the proposed plan.

If the council does not approve the plan for distribution, it should note its objections to the planning commission. Should the commission disagree with the board's position on the plan, the two bodies must work to resolve those differences. Otherwise, the planning process is stopped in its tracks and the proposed plan can proceed no further.

If there are no disagreements, or those disagreements are worked out, the council can approve the plan for distribution. This permits the plan to be sent to the same list that received the notice of intent to plan. The proposed plan must include a statement from the secretary of the planning commission noting that all the requirements of the Municipal Planning Act have been met.

External Review and Comment

The entire review process takes a total of 95 days. With the exception of the county, those receiving the plan have up to 65 days to submit their comments to the city or village. Reviewing communities and agencies are also required to send their comments to the county as well as the municipality.

The county has between the 75th and 95th day after submission to submit its comments to the municipality. This permits the county to include the reviews from other communities and agencies in its comments. The purpose of the county review is to determine whether the proposed plan is consistent with the county's plan and the plan of any other adjacent community.

All reviews and comments, including those of the county, are advisory and need not be considered or included by the village or city. However, the municipality may benefit considerably from these reviews and therefore should take advantage of having "other sets of eyes" review the plan.

Public Hearing and Adoption

Public Hearing

Only after the review comment period has expired can the municipality conduct its required public hearing. Notice of the hearing must be published in a newspaper of general circulation in the municipality and in the official gazette, if any, of the municipality not less than 15 days before the hearing. The planning commission shall also submit notice to each entity receiving the notice of intent to plan. The notice can run during the 95 day review period so that the hearing could be held on the 96th day.

Adoption

After the public hearing on the proposed plan, one of two actions may follow. The options depend on whether or not the council has passed a resolution asserting its right to be the adopting authority for the plan.

If such a resolution has not been adopted, the planning commission may adopt the plan with a majority vote. For example, if the planning commission has seven members, at least four votes are needed to adopt the plan. Should only four commissioners be present to vote on the plan, all four must vote to adopt.

After adoption, the secretary of the planning commission submits the proposed plan to the governing board for the municipality and the adoption process is complete.

If, however, the governing board for the municipality has passed the resolution to become the adopting authority for the plan, the planning commission, rather than adopting the plan, will vote to "recommend"

adoption to the council. The council may then vote to adopt the plan by a majority vote (no specific vote requirement is noted in the Act, but each community needs to check its charter for what constitutes a majority).

If, however, the council does not approve of the substance of the plan, it is required to send to the planning commission a "statement of objections." The planning commission must consider these objections and either revise the plan to address them or otherwise work out the problems with the council.

For example, if the objections are significant, a joint meeting would be useful to help resolve the issues. If the issues are never resolved, and the council refuses to adopt the plan, the plan is effectively dead. Unlike the zoning ordinance adoption procedure, the council has no independent authority to make any change to the plan.

If the council's recommended changes are significant, the planning commission may wish to consider holding an additional public hearing to publicize the changes. This would not be required, but would certainly be of value to those property owners who may be affected by the changes and did not have an opportunity to comment on them.

After Adoption

Once adopted, the plan goes into effect immediately. Copies must be sent to the same list of communities and agencies that received the draft plan.

The Act includes a requirement that at least every five years the municipality reviews its current plan and determines whether any amendments are needed, or if the process for a new plan should be started. This review may be documented through the minutes of the meeting. It is suggested that the village or city council be invited to participate in this review.

After the review, if the municipality determines that no changes are necessary, the planning commission should document that decision in its minutes. No notices or other procedures are necessary if no changes are to be made.

The following checklist may be used to chart the progress of the planning process to ensure that all of the procedures are followed.

Based on material provided by Steve Langworthy, LSL Planning, Inc.

PLEASE SIGN IN
PLANNING COMMISSION WORK SESSION
May 7, 2013

NAME

ADDRESS

CHRISTINE LINFIELD

CARL SCHMILT

- DARLENE STANLEY

✓ RICH MONTOYE

✓ SARAH HASELSCHWATZ

✓ ERIK LAREN

CHERI ALBERTSON

✓ MELISSA JOHNSON

✓ GEORGE KINZER

✓ LARRY LEDEBUR