

# HOUSE BILL No. 6621

November 14, 2006, Introduced by Rep. Kolb and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

A bill to amend 1931 PA 285, entitled

"An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act,"

by amending section 7b (MCL 125.37b), as added by 2001 PA 265.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 7b. (1) A municipal plan may be adopted as a whole or by  
2 successive parts corresponding with major geographical areas of the  
3 municipality or with functional subject matter areas of the plan.

4           (2) After preparing a proposed plan, the municipal planning  
5 commission shall submit the proposed plan to the legislative body  
6 of the municipality for review and comment. The process of adopting  
7 a plan shall not proceed further unless the legislative body of the  
8 municipality approves the distribution of the proposed plan.

1           (3) If the legislative body of the municipality approves the  
2 distribution of the proposed plan, it shall notify the secretary of  
3 the municipal planning commission and the secretary shall submit a  
4 copy of the proposed plan, for review and comment, to all of the  
5 following:

6           (a) The planning commission, or if there is no planning  
7 commission, the legislative body, of each city, village, or  
8 township located within or contiguous to the municipality.

9           (b) The regional planning commission, if any, for the region  
10 in which the municipality is located, if there is no county  
11 planning commission for the county in which the municipality is  
12 located. If there is a county planning commission for the county in  
13 which the municipality is located, the secretary of the municipal  
14 planning commission may submit a copy of the proposed plan to the  
15 regional planning commission but is not required to do so.

16           (c) The county planning commission, or if there is no county  
17 planning commission, the county board of commissioners, for the  
18 county in which the municipality is located. The secretary of the  
19 municipal planning commission shall concurrently submit to the  
20 county planning commission or, if there is no county planning  
21 commission, the county board of commissioners, a statement, signed  
22 by the secretary, that the requirements of subdivisions (a) and (b)  
23 have been met. The statement shall include the name and address of  
24 each planning commission or legislative body to which a copy of the  
25 proposed plan was submitted under subdivision (a) or (b) and the  
26 date of submittal.

27           (d) Each public utility company and railroad company owning or

1 operating a public utility or railroad within the municipality, and  
2 any government entity, that registers its name and address for this  
3 purpose with the secretary of the municipal planning commission. An  
4 entity that, pursuant to this subdivision, receives a copy of a  
5 proposed plan, or of a plan as provided in section 8(5), shall  
6 reimburse the municipality for any copying and postage costs  
7 thereby incurred by the municipality.

8 (4) An entity described in subsection (3)(a), (b), or (d) may  
9 submit comments on the proposed plan to the municipal planning  
10 commission within 65 days after the proposed plan was submitted to  
11 that entity under subsection (3). A planning commission or  
12 legislative body described in subsection (3)(a) or (b) shall  
13 concurrently submit a copy of the comments to the county planning  
14 commission, or if there is no county planning commission, the  
15 county board of commissioners, for the county in which the  
16 municipality proposing the plan is located.

17 (5) Not less than 75 days or more than 95 days after the date  
18 the proposed plan was submitted to the county planning commission  
19 or the county board of commissioners under subsection (3), the  
20 county planning commission or the county board of commissioners,  
21 respectively, shall submit to the municipal planning commission its  
22 comments on the proposed plan. The comments shall include, but need  
23 not be limited to, both of the following, as applicable:

24 (a) A statement whether the county planning commission or  
25 county board of commissioners, after considering any comments  
26 received under subsection (4), considers the proposed plan to be  
27 inconsistent with the plan of any city, village, township, or

1 region described in subsection (3)(a) or (b).

2 (b) If the county has a county plan, a statement whether the  
3 county planning commission considers the proposed plan to be  
4 inconsistent with the county plan.

5 (6) The statements provided for in subsection (5)(a) and (b)  
6 are advisory only.

7 (7) IF A PLANNING COMMISSION, LEGISLATIVE BODY, OR OTHER  
8 GOVERNMENT ENTITY SUBMITS COMMENTS ON A PROPOSED PLAN TO THE  
9 MUNICIPAL PLANNING COMMISSION UNDER THIS SECTION, THE MUNICIPAL  
10 PLANNING COMMISSION, BEFORE APPROVING THE PROPOSED PLAN, SHALL  
11 SUBMIT TO THAT COMMENTING GOVERNMENT ENTITY A SPECIFIC RESPONSE TO  
12 ITS COMMENTS. THE SECRETARY OF THE MUNICIPAL PLANNING COMMISSION  
13 SHALL INCORPORATE EACH COMMENTING GOVERNMENT ENTITY'S COMMENTS AND  
14 THE MUNICIPAL PLANNING COMMISSION'S RESPONSES UNDER THIS SECTION  
15 INTO AN APPENDIX TO THE PLAN, AS PROPOSED AND AS FINALLY ADOPTED.