

SENATE BILL No. 683

June 30, 2005, Introduced by Senators BIRKHOLZ, ALLEN, TOY, KUIPERS and VAN WOERKOM
and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to provide for coordinated land use and capital facility planning among cities, villages, townships, counties, regions, and state and federal agencies; to provide for the creation, organization, powers, and duties of planning commissions; to provide for the preparation of capital improvement programs; to provide conditions for funding or construction of capital improvements; to authorize the review of land divisions, plats, and condominium projects; to establish a grant program to assist with the financing of plans; to provide for the powers and duties of certain state and local governmental officers and entities; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER 1

SHORT TITLE AND DEFINITIONS

1 Sec. 1. This act shall be known and may be cited as the
2 "coordinated planning act".

3 Sec. 3. As used in this act:

4 (a) "Capital facility" means land, a structure, a piece of
5 equipment, or another major asset, if acquired or constructed with
6 public funds or constructed or operated with public funds by a
7 private entity under contract to a state or regional governmental
8 entity or political subdivision and used to provide a public
9 service.

10 (b) "Capital improvement program" or "CIP" means a document,
11 as described and adopted under section 71, that contains a schedule
12 for the purchase, sale, construction, improvement, or replacement
13 of capital facilities within the current year and the next 5 or
14 more years.

15 (c) "Chief administrative officer" means 1 of the following,
16 as applicable:

17 (i) In a city, the city manager, or, if there is no city
18 manager, the mayor.

19 (ii) In a village, the village manager, or, if there is no
20 village manager, the village president.

21 (iii) In a township, the township manager. If there is no
22 township manager, "chief administrative officer" means the township
23 superintendent, or, if there is no township superintendent, the
24 township supervisor.

25 (iv) In a county organized under 1966 PA 293, MCL 45.501 to
26 45.521, the county executive or chief administrative officer.

27 (v) In a county organized under 1973 PA 139, MCL 45.551 to

1 45.573, the county manager or county executive.

2 (vi) In any other county, the chairperson of the county board
3 of commissioners.

4 (d) "Comprehensive plan" means a plan as described in section
5 49.

6 (e) "County plan" means a plan of the type specified in
7 section 43 for the development of a county.

8 (f) "County planning commission" means a planning commission
9 established under section 11(3).

10 (g) "Department", unless the context indicates a different
11 meaning, means the department of management and budget.

12 (h) "Future land use plan" means a plan described in section
13 47.

14 (i) "General plan" means a plan as described in section 45.

15 (j) "Governing body" means the following:

16 (i) With respect to a city or village, the legislative body of
17 the city or village.

18 (ii) With respect to a township, the township board.

19 (iii) With respect to a county, the county board of
20 commissioners.

21 (iv) With respect to a local authority established by or
22 pursuant to state law, the board of that authority.

23 (k) "Growth management plan" or "redevelopment plan" means a
24 plan as described in section 51.

25 (l) "Guideline" means that term as defined in section 3 of the
26 administrative procedures act of 1969, 1969 PA 306, MCL 24.203.

27 Sec. 5. As used in this act:

1 (a) "Joint municipal plan" means a plan of the type specified
2 in section 43 for the development of the combined territory of 2 or
3 more municipalities.

4 (b) "Joint municipal planning commission" means a planning
5 commission established under section 11(2).

6 (c) "Local unit" means a municipality or county.

7 (d) "Municipal" or "municipality" means or refers to a city,
8 village, or township.

9 (e) "Municipal plan" means a plan of the type specified in
10 section 43 for the development of a municipality.

11 (f) "Municipal planning commission" means a planning
12 commission established under section 11(1) or exercising the powers
13 and duties of such a planning commission pursuant to section 11(1).

14 Sec. 7. As used in this act:

15 (a) "Participating" means either of the following:

16 (i) With reference to a municipality, that the municipality has
17 taken part in the establishment of a joint municipal planning
18 commission or joined an existing joint municipal planning
19 commission and has not withdrawn from the joint municipal planning
20 commission.

21 (ii) With reference to a public school academy, special
22 authority, or political subdivision, that the political subdivision
23 has taken part in the establishment of a regional planning
24 commission or joined an existing regional planning commission, as
25 applicable, and has not withdrawn from the regional planning
26 commission.

27 (b) "Plan", unless the context indicates a different meaning,

1 means a county plan, municipal plan, joint municipal plan, or
2 regional plan.

3 (c) "Planning commission", unless the context indicates a
4 different meaning, means a county planning commission, municipal
5 planning commission, joint municipal planning commission, or
6 regional planning commission.

7 (d) "Plat" means that term as defined in section 102 of the
8 land division act, 1967 PA 288, MCL 560.102.

9 (e) "Political subdivision" means a local unit, a school
10 district, or an authority established by 2 or more local units by
11 or pursuant to state law.

12 (f) "Proposing", when used to describe a planning commission,
13 means a planning commission that intends to prepare or has prepared
14 a proposed plan.

15 (g) "Region" means the jurisdictional area of a regional
16 planning commission.

17 (h) "Regional plan" means a plan of the type specified in
18 section 43 for the development of the area under the jurisdiction
19 of a regional planning commission.

20 (i) "Regional planning commission", unless the context
21 indicates a different meaning, means any of the following:

22 (i) A regional planning commission established under section
23 11(4).

24 (ii) Except as used in sections 13 to 27, a regional planning
25 commission or regional council of governments acting pursuant to
26 section 11(5).

27 (iii) Except as used in sections 13 to 27, a metropolitan area

1 council established under section 5 of the metropolitan councils
2 act, 1989 PA 292, MCL 124.655, or a regional council of
3 governments, acting pursuant to section 11(6).

4 (j) "Reviewing entity" means a state agency, planning
5 commission, drain commission, or road commission to which a
6 municipal plan, joint municipal plan, county plan, or regional plan
7 is required to be submitted for review under section 55(1)(b) to
8 (e).

9 CHAPTER 2

10 PLANNING COMMISSIONS

11 Sec. 11. (1) By ordinance, the governing body of a
12 municipality may establish a municipal planning commission or, if
13 the municipality has a population of less than 2,500, may provide
14 that the governing body shall serve as the municipal planning
15 commission. A planning commission established before the effective
16 date of this act by municipal charter may continue to operate on
17 and after the effective date of this act subject to the charter
18 provisions without being reconstituted under this act. However, a
19 municipality may by ordinance or charter amendment alter the powers
20 and duties of a planning commission established by charter to
21 include the powers and duties of a municipal planning commission
22 under this act. Furthermore, any municipal charter amendment
23 related to a planning commission and adopted after the effective
24 date of this act shall conform to this act.

25 (2) The governing bodies of 2 or more contiguous
26 municipalities may by resolution adopt an agreement establishing a
27 joint municipal planning commission. The jurisdictional area of the

1 joint municipal planning commission shall consist of the combined
2 territory of the participating municipalities. The agreement shall
3 include a procedure by which a participating municipality may
4 withdraw from the joint municipal planning commission and a
5 procedure by which a municipality may join the joint municipal
6 planning commission.

7 (3) The county board of commissioners of a county may by
8 ordinance establish a county planning commission.

9 (4) The governing bodies of 3 or more contiguous counties, and
10 of any number of other political subdivisions within those
11 counties, may by resolution adopt an agreement establishing a
12 regional planning commission. The agreement shall describe the area
13 over which a regional planning commission has responsibility to
14 prepare a coordinated plan. The agreement shall include a procedure
15 by which a participating political subdivision may withdraw from
16 the regional planning commission and a procedure by which a
17 political subdivision may join a regional planning commission.

18 (5) Notwithstanding subsection (4), a regional planning
19 commission created under 1945 PA 281, MCL 125.11 to 125.25, a
20 regional council of governments to which the activities, functions,
21 and programs of such a regional planning commission were
22 transferred under section 14 of 1945 PA 281, MCL 125.24, or a
23 regional economic development commission created under 1966 PA 46,
24 MCL 125.1231 to 125.1237, may exercise the powers provided for a
25 regional planning commission in this act but only if the regional
26 planning commission, regional council of governments, or regional
27 economic development commission was in existence on the effective

1 date of this act, has boundaries as defined in Executive Directive
2 1992-2, and complies with the applicable requirements of this act.

3 (6) A regional planning commission created under 1945 PA 281,
4 MCL 125.11 to 125.25, and either a regional council of governments
5 or a metropolitan area council established under section 5 of the
6 metropolitan councils act, 1989 PA 292, MCL 124.655, may by
7 resolution adopt an agreement to transfer that regional planning
8 commission's powers, functions, staff, assets, and liabilities
9 under this act to the regional council of governments or
10 metropolitan area council if the territory to be served is
11 coterminous with county boundaries and includes all the territory
12 served by the regional planning commission. To be effective, the
13 agreement shall also be approved by a resolution of the governing
14 bodies of a majority of the political subdivisions participating in
15 that regional planning commission. If the agreement takes effect,
16 the regional council of governments or metropolitan area council
17 may receive and disburse grants-in-aid and other revenues that
18 would otherwise be available to that regional planning commission.
19 This subsection is subject to subsection (5).

20 (7) Upon establishment of a municipal planning commission or
21 joint municipal planning commission under this act, an existing
22 planning commission for an establishing municipality established
23 under 1931 PA 285, MCL 125.31 to 125.45, 1959 PA 168, MCL 125.321
24 to 125.333, or the joint municipal planning act, 2003 PA 226, MCL
25 125.131 to 125.143, is abolished. Upon establishment of a county
26 planning commission under this act, a planning commission for that
27 county established under 1945 PA 282, MCL 125.101 to 125.115, is

1 abolished.

2 Sec. 13. (1) Except in a municipality where the governing body
3 is serving as a municipal planning commission pursuant to section
4 11(1) and consists of less than 5 members, a municipal planning
5 commission or county planning commission shall consist of 5 or more
6 regular, voting members. A joint municipal planning commission
7 shall consist of 5 or more regular, voting members as determined by
8 the agreement establishing the planning commission. A regional
9 planning commission shall consist of 9 or more regular, voting
10 members or such membership as determined by the agreement
11 establishing that regional planning commission. Each municipality
12 participating in a joint municipal planning commission or each
13 county participating in a regional planning commission shall be
14 represented on the regional planning commission by 1 or more
15 members as determined by the agreement.

16 (2) Except in a municipality where the governing body is
17 serving as a municipal planning commission pursuant to section
18 11(1), a municipal planning commission or county planning
19 commission may include not more than 2 alternate members. A joint
20 municipal planning commission may include a number of alternate
21 members not to exceed 1/3 of the total number of regular members as
22 determined by the agreement establishing the planning commission. A
23 regional planning commission may include a number of alternate
24 members, not to exceed the total number of regular members, as
25 determined by the agreement establishing the planning commission.
26 An alternate member may be called on a rotating basis, under
27 circumstances specified by the ordinance or agreement establishing

1 the planning commission, to serve in the absence of a regular
2 member if a regular member has been absent for 2 or more
3 consecutive meetings or is expected to be absent for 2 or more
4 consecutive meetings. An alternate member may also be called to
5 serve as a regular member if a regular member has abstained on a
6 matter because of conflict of interest. The alternate member
7 appointed shall serve until the return of a regular member.
8 However, if requested by the chairperson of the planning
9 commission, the alternate member shall continue to serve on a
10 pending individual case after the return of the regular member
11 until a decision is made, and the regular member shall not
12 participate in that case.

13 (3) A member of a planning commission shall be appointed by
14 the following officer or body of the political subdivision
15 represented by that member:

16 (a) The mayor of a city, the president of a village, or the
17 supervisor of a township with the concurrence of a majority of the
18 members of the governing body of the municipality.

19 (b) The county executive or chief administrative officer of a
20 county organized under 1966 PA 293, MCL 45.501 to 45.521, or the
21 county manager or county executive of a county organized under 1973
22 PA 139, MCL 45.551 to 45.573, with the concurrence of a majority of
23 the members of the county board of commissioners.

24 (c) The county board of commissioners of a county other than a
25 county described in subdivision (b), acting by the affirmative vote
26 of a majority of its members.

27 (d) The board or other governing body of a political

1 subdivision that is not a local unit, acting by the affirmative
2 vote of a majority of its members.

3 (4) A member of a planning commission shall be a qualified
4 elector and shall reside within the jurisdictional area of the
5 planning commission. An officer or body appointing members of a
6 planning commission under subsection (3) shall strive to provide
7 representation of the members' jurisdictional area that is balanced
8 geographically and by major interests.

9 (5) No more than 1 member of a zoning board or zoning board of
10 appeals of a local unit may be a member of a planning commission
11 established by that local unit or of a joint municipal planning
12 commission in which that local unit is participating.

13 (6) The chief administrative officer or employee of a local
14 unit shall not be a member of a planning commission established by
15 that local unit or of a joint municipal planning commission in
16 which that local unit is participating.

17 (7) Subject to subsection (8), not more than 1 member of a
18 governing body of a municipality or county may be a member of a
19 municipal planning commission or county planning commission
20 established by that municipality or county. The mayor of a city,
21 the president of a village, or the supervisor of a township shall
22 not be a member of a municipal planning commission established by
23 that city, village, or township. The chairperson of the county
24 board of commissioners of the county shall not be a member of a
25 county planning commission established by that county.

26 (8) Subsection (7) does not apply to a municipality with a
27 population of less than 2,500 in which the governing body serves as

1 the municipal planning commission or to a planning commission
2 established before the effective date of this act by municipal
3 charter if the municipal charter provides otherwise.

4 (9) Notwithstanding a requirement as to the size of the
5 planning commission or any other requirement under this section,
6 the governing body of a local unit may provide by resolution that
7 an individual serving immediately before the effective date of this
8 act as a member of a planning commission established by that local
9 unit or as a representative of that local unit on a regional
10 planning commission may continue to serve, for the duration of his
11 or her term, as a member of a successor planning commission
12 established by that local unit under this act or as a
13 representative of that local unit on a successor regional planning
14 commission established under section 11(4), respectively.

15 Sec. 15. Subject to sections 11(1) and 13(9), the term of a
16 member of a municipal planning commission, a joint municipal
17 planning commission, or a county planning commission is 3 years.
18 However, the officer or body appointing members of a planning
19 commission under section 13 shall make initial appointments of
20 shorter terms as necessary so that as nearly as possible the terms
21 of 1/3 of the members expire each year. The term of a member of a
22 regional planning commission shall be as established in the
23 agreement creating that regional planning commission.

24 Sec. 17. (1) A vacancy in the office of a member of a planning
25 commission shall be filled for the remainder of the term in the
26 same manner as the original appointment was made.

27 (2) A member of a planning commission may be removed from

1 office by the officer or body authorized to appoint members of the
2 planning commission under section 13, with the concurrence of the
3 body authorized to concur in the appointment of the member, if any.
4 The member may only be removed after a hearing under the open
5 meetings act, 1976 PA 267, MCL 15.261 to 15.275, if so requested by
6 the member. A member of a planning commission may be removed from
7 office only for malfeasance, misfeasance, or nonfeasance in office.

8 Sec. 19. (1) A member of a municipal planning commission or
9 county planning commission or of an advisory or other committee
10 thereof may receive compensation and reimbursement for actual,
11 reasonable expenses pursuant to standards and procedures adopted by
12 ordinance or resolution of the governing body of the local unit. A
13 member of a joint municipal planning commission, of a regional
14 planning commission, or of an advisory or other committee of either
15 such planning commission may receive compensation and reimbursement
16 for actual, reasonable expenses pursuant to standards and
17 procedures in an agreement adopted by the governing bodies of the
18 participating municipalities by resolution.

19 (2) Compensation under subsection (1) may consist of a per
20 diem. An individual shall not receive a per diem for attending more
21 than 1 meeting of the planning commission or more than 1 meeting of
22 the same committee of the planning commission per day.

23 Sec. 21. (1) The governing body of a local unit in which there
24 is a municipal planning commission or a county planning commission
25 shall include in the general budget an annual operating budget for
26 the planning commission and shall appropriate the budgeted amount
27 to the planning commission. The governing body of each local unit

1 participating in a joint municipal planning commission shall adopt
2 resolutions agreeing upon an annual operating budget for the
3 planning commission and upon the share of the operating budget to
4 be contributed by each local unit. The governing body of each local
5 unit participating in a joint municipal planning commission or a
6 regional planning commission shall include in the general budget of
7 that local unit the local unit's share of the annual operating
8 budget for that planning commission and shall appropriate the
9 budgeted amount to that planning commission.

10 (2) A municipal planning commission or county planning
11 commission shall submit a written annual report to the governing
12 body of the municipality or county. A joint municipal planning
13 commission or regional planning commission shall submit an annual
14 report to the governing bodies of the participating political
15 subdivisions. The annual report created under this subsection shall
16 cover the planning commission's operations and the status of its
17 planning activities, including its expenditures and recommendations
18 related to planning and development. The planning commission shall
19 prepare an annual work program for activities and funding requests
20 from all sources during the succeeding year and submit it to the
21 appropriate governing body or governing bodies in time to be
22 considered as part of the general budget under subsection (1).

23 Sec. 23. (1) A planning commission, chief administrative
24 officer, or governing body may contract for planning related
25 services pursuant to any procedures of the local unit or planning
26 commission governing such contracts or hire personnel necessary to
27 carry out the functions of this act.

1 (2) Except as otherwise provided in this act, this section
2 does not affect contracts entered into or charter provisions
3 adopted before the effective date of this act.

4 Sec. 25. (1) A planning commission shall elect from its
5 members a chairperson, a vice-chairperson, a secretary, and such
6 other officers as it considers advisable. The term of office of
7 each officer shall be 1 year.

8 (2) A planning commission shall adopt bylaws.

9 (3) In the conduct of its business, a planning commission
10 shall establish procedures that encourage and provide opportunity
11 for input by any individual, without regard to geographic area of
12 residence. The planning commission shall keep a public record of
13 its resolutions, transactions, findings, and determinations.

14 (4) A planning commission shall hold not less than 4 regular
15 meetings each year. A special meeting shall be called by the
16 chairperson upon written request to the secretary by at least 2
17 members or such greater number of members as may be required by the
18 planning commission's bylaws. The business that the planning
19 commission performs shall be conducted at a public meeting of the
20 planning commission held in compliance with the open meetings act,
21 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date,
22 and place of a regular or special meeting shall be given in the
23 manner required by the open meetings act, 1976 PA 267, MCL 15.261
24 to 15.275, and the secretary shall send written notice of a special
25 meeting to commission members not less than 18 hours in advance of
26 the meeting.

27 (5) A writing prepared, owned, used, in the possession of, or

1 retained by the planning commission in the performance of an
2 official function shall be made available to the public in
3 compliance with the freedom of information act, 1976 PA 442, MCL
4 15.231 to 15.246.

5 (6) Members of a planning commission are subject to any
6 applicable ordinance or law concerning incompatible offices or
7 conflicts of interest including, but not limited to, 1978 PA 566,
8 MCL 15.181 to 15.185, and 1968 PA 317, MCL 15.321 to 15.330. An
9 ordinance or agreement establishing a planning commission shall
10 describe the circumstances under which a conflict of interest
11 exists and set forth the procedure for abstention, if abstention is
12 required.

13 Sec. 27. A planning commission may appoint committees of its
14 members and advisory committees on which qualified individuals who
15 are not members of the planning commission may serve.

16 Sec. 29. (1) When preparing or revising a plan, a planning
17 commission shall encourage broad-based input from citizens,
18 interest groups, and public officials from across the
19 jurisdictional area of the planning commission.

20 (2) A planning commission shall act as coordinating agency for
21 information and program activities related to its objectives. A
22 planning commission shall coordinate its plan with related plans of
23 the departments or subdivisions of the local unit or participating
24 local units and the relevant plans of the county, region, state,
25 and federal government, subject to any requirements of this act.

26 (3) Each county planning commission shall maintain planning
27 data and maps with a wide range of information pertinent to

1 planning in the county in formats that are reasonably accessible to
2 the public. A county planning commission and regional planning
3 commission whose jurisdiction includes that county may agree that
4 the regional planning commission shall assume the county's
5 responsibilities under this subsection.

6 Sec. 31. (1) A planning commission has those powers necessary
7 to prepare plans, coordinate planning with adjoining units of
8 government and other governmental agencies, promote and, to the
9 extent provided for by this act, maintain consistency between
10 adopted plans and land development regulations and capital
11 improvement programs adopted to implement those plans, and
12 otherwise carry out the purposes of this act or a plan adopted
13 under this act.

14 (2) A county planning commission, municipal planning
15 commission, or joint municipal planning commission may implement a
16 task or program delegated to the planning commission. The task or
17 program shall be delegated to the planning commission by agreement
18 or by ordinance. However, a specific project may be delegated by
19 resolution of the governing body, or, for a joint municipal
20 planning commission, resolution of the governing body of each
21 participating municipality. The power to sell land, to acquire land
22 by gift, purchase, or condemnation, or to acquire any other
23 property by condemnation shall not be delegated to the planning
24 commission.

25 CHAPTER 3

26 LOCAL UNIT AND REGIONAL PLANS

27 Sec. 41. (1) Subject to the requirements of this chapter, a

1 planning commission shall prepare a plan for the development of the
2 jurisdictional area of the planning commission. The plan may be in
3 the form of either a "general plan", "future land use plan",
4 "comprehensive plan", "growth management plan", or "redevelopment
5 plan", as appropriate based on the content of the plan. A part of a
6 plan adopted under section 53(3) shall have a title reflective of
7 its contents and also indicate, as part of the title, that it
8 supplements a specific type plan under this section described by
9 its title.

10 (2) The purpose of a plan is to promote public health, safety,
11 and general welfare through the creation of economically and
12 environmentally sustainable communities whose plans are compatible
13 with other plans of other local units, authorities, and state
14 agencies, as specified in this act.

15 (3) A municipal plan or joint municipal plan shall serve as
16 the principal general policy guide for future land use and capital
17 facilities within the municipality or municipalities that adopted
18 the plan. In addition, all of the following shall be based on and
19 consistent with the municipal plan or joint municipal plan:

20 (a) Any municipal zoning, land division, subdivision,
21 condominium, redevelopment, or purchase of development rights
22 ordinances and rules.

23 (b) Any municipal capital improvement programs.

24 (c) Any other municipal programs recognized in the municipal
25 plan or joint municipal plan as being related to the development or
26 redevelopment of the jurisdictional area and required by law to be
27 based on a plan.

1 (4) If the governing bodies of at least 60% of the
2 municipalities within a county that have planning commissions,
3 after considering the recommendations of their respective planning
4 commissions, approve a county plan for that county, the county plan
5 shall serve as the principal general policy guide for future land
6 use and county capital facilities as defined in the county plan. In
7 addition, all of the following shall be based on the county plan:

8 (a) Any county zoning and land division ordinances and rules.

9 (b) Any county capital improvement programs.

10 (c) Any other county programs recognized in the county plan as
11 being related to the physical growth or redevelopment of the county
12 and required by law to be based on a plan.

13 (5) A regional plan shall serve as the principal general
14 policy guide for future land use and capital facilities serving the
15 region. Any program that the regional planning commission has
16 authority to implement and required by law to be based on a plan
17 shall be based on the regional plan.

18 Sec. 43. (1) A regional plan or a county plan for a county
19 that has not adopted a zoning ordinance shall be a general plan as
20 described in section 45. A municipal plan, a joint municipal plan,
21 or a county plan for a county that has adopted a zoning ordinance
22 shall be a future land use plan as described in section 47, a
23 comprehensive plan as described in section 49, or, as appropriate,
24 a growth management plan or redevelopment plan as described in
25 section 51.

26 (2) Additional provisions concerning the contents of plans are
27 found in section 53.

1 (3) Procedures for the preparation, adoption, and amendment of
2 plans and to promote coordination of plans are found in sections 55
3 to 65.

4 Sec. 45. A regional plan or a county plan for a county that
5 has not adopted a zoning ordinance shall be a general plan. A
6 general plan shall be a policy-based plan with generalized future
7 land use maps. A general plan shall include all of the following:

8 (a) A separate section on needs for affordable and assisted
9 housing and a strategy to meet those needs, as well as a section on
10 job retention and expansion and a strategy to meet those needs.

11 (b) A separate section on the relationship between jobs,
12 housing, and transportation within the county or region.

13 (c) A separate section on multimodal transportation including
14 streets and highways, public transit, airports, railroads, ports,
15 and pedestrian and bicycle ways.

16 (d) A separate section on capital facilities owned or
17 operated, or both, or privately contracted for by the county or by
18 a regional governmental entity, together with long-range fiscal
19 plans for the provision of new capital facilities for the county or
20 region. The long-range fiscal plans shall be the basis for the
21 county or regional capital improvement program.

22 (e) If the general plan is for a county, a cumulative analysis
23 of all the municipal plans and joint municipal plans of
24 municipalities within the county regarding buildout, economic,
25 fiscal, and environmental impacts.

26 (f) Such other elements as determined by the planning
27 commission.

1 (g) A program of implementation.

2 Sec. 47. (1) A municipal plan, a joint municipal plan, or a
3 county plan for a county that has adopted a zoning ordinance may be
4 a future land use plan.

5 (2) A future land use plan shall address land use at least 20
6 years into the future and shall include all of the following
7 elements:

8 (a) The arrangement of future land uses. Each future land use
9 category shall be described in the text and depicted on a future
10 land use map showing the general location and arrangement of all
11 future land uses, including the abutting future land uses of any
12 adjacent communities. Individual parcel lines shall not be evident
13 on a future land use map.

14 (b) A future transportation network, including, but not
15 limited to, roads and streets, bridges, railroads, airports,
16 bicycle paths, and pedestrian ways.

17 (c) Future capital facilities necessary for the future land
18 use plan to serve as the basis for the development and annual
19 updating of a capital improvement program under chapter 4.

20 (d) If the local unit is a county that has adopted a zoning
21 ordinance, the future land use plan shall also include all of the
22 elements of a general plan.

23 (e) A program of implementation.

24 (3) Each of the elements of a future land use plan listed in
25 subsection (2) shall incorporate goals, objectives, policies, and
26 strategies to be employed in fulfilling the plan. Each element of a
27 future land use plan may utilize maps, plats, charts, and tables.

1 Maps, plats, charts, and tables shall be accompanied by explanatory
2 text.

3 Sec. 49. (1) A municipal plan, a joint municipal plan, or a
4 county plan for a county that has adopted a zoning ordinance may be
5 a comprehensive plan.

6 (2) A comprehensive plan shall, at a minimum, include all of
7 the following:

8 (a) All the elements of a future land use plan.

9 (b) Recommendations for environmental protection and for the
10 social, economic, or physical development or redevelopment of the
11 jurisdictional area.

12 (c) A separate section on multimodal transportation
13 facilities, together with long-range fiscal plans for the provision
14 or replacement of transportation facilities. This section may be
15 part of the future transportation network element of a future land
16 use plan.

17 (d) Future capital facilities necessary for the comprehensive
18 plan to serve as the basis for the development and annual updating
19 of a capital improvement program.

20 (e) An analysis covering existing conditions of and strategies
21 to address identified problems, needs, and opportunities for
22 housing, economic development, environmental protection, management
23 of natural resources, and measures to develop, protect, enhance, or
24 change community character.

25 (f) A program of implementation.

26 (3) A comprehensive plan also may include other elements that
27 address 1 or more of the following:

1 (a) Soil, water, or energy conservation.

2 (b) Open space protection.

3 (c) Intergovernmental coordination.

4 (d) Human services.

5 (e) Historic preservation.

6 (f) Coastal zone, watershed, or solid waste planning or
7 management.

8 (g) Redevelopment.

9 (h) Other matters related to community development.

10 (4) At the option of the local unit, following adoption of a
11 future land use plan, elements of a comprehensive plan may be
12 adopted by successive parts that correspond to major geographical
13 divisions of the jurisdictional area of the planning commission or
14 with functional divisions of the subject matter of the
15 comprehensive plan, such as housing or transportation.

16 Sec. 51. (1) A municipal plan, a joint municipal plan, or a
17 county plan for a county that has adopted a zoning ordinance may be
18 a growth management plan or redevelopment plan.

19 (2) A growth management plan or redevelopment plan shall
20 include all of the following:

21 (a) All the elements of a comprehensive plan.

22 (b) A mechanism for phasing growth or redevelopment efforts.

23 (c) One or more of the following elements:

24 (i) Maximum density of land use based on available public
25 services and facilities and specified level of service standards
26 for those services and facilities.

27 (ii) Consistent with the city and village zoning act, 1921 PA

1 207, MCL 125.581 to 125.600, the township zoning act, 1943 PA 184,
2 MCL 125.271 to 125.310, or the county zoning act, 1943 PA 183, MCL
3 125.201 to 125.240, as applicable, a program for the purchase of
4 development rights.

5 (iii) Maps showing the location of proposed future road rights-
6 of-way and of other capital facilities beyond 5 years in the
7 future.

8 (iv) A strategy that links future jobs, housing, and
9 transportation in mutually supportive ways.

10 (v) A strategy for land assembly and redevelopment.

11 (vi) Other elements as necessary to implement the growth
12 management or redevelopment goals of the growth management plan or
13 redevelopment plan.

14 (d) A program of implementation.

15 Sec. 53. (1) A municipal plan, joint municipal plan, or county
16 plan shall include or incorporate by reference the relevant
17 portions of any plan of a public commission or authority related to
18 land use, redevelopment, economic development, environmental
19 protection, or transportation or other public facilities adopted in
20 or applicable to the territory covered by the municipal plan, joint
21 municipal plan, or county plan.

22 (2) After a plan under this act has been adopted, an amendment
23 to a plan that under subsection (1) is included or incorporated in
24 the plan adopted under this act shall not be inconsistent with the
25 purpose of a plan as set forth in section 41(2) and shall be
26 submitted a reasonable time before adoption to the planning
27 commission for comment.

1 (3) A municipal plan or joint municipal plan may include
2 special purpose, subarea, functional, neighborhood, corridor, or
3 strategic plans as necessary to provide greater detail in achieving
4 the purposes of this act.

5 (4) A plan may incorporate by reference plans, or portions of
6 plans, adopted by other agencies of political subdivisions, this
7 state, or the federal government. A county may adopt the relevant
8 portion of a regional plan as the county plan if that portion of
9 the regional plan meets the requirements for a county plan. A
10 municipality may adopt the relevant portion of a county plan as the
11 municipal plan if that portion of the county plan meets the
12 requirements for a municipal plan.

13 (5) A zoning map adopted as part of a zoning ordinance by the
14 governing body of a local unit under the county zoning act, 1943 PA
15 183, MCL 125.201 to 125.240, the township zoning act, 1943 PA 184,
16 MCL 125.271 to 125.310, or the city and village zoning act, 1921 PA
17 207, MCL 125.581 to 125.600, is not a future land use map, and
18 neither a zoning map nor the text of a zoning ordinance constitutes
19 a plan under this act. Likewise, a plan is not a zoning ordinance
20 and a future land use map is not a zoning map under these zoning
21 enabling acts.

22 Sec. 55. (1) Before preparing a plan, a proposing planning
23 commission shall send a written notice explaining that the planning
24 commission intends to prepare a plan and requesting the recipient's
25 cooperation and comment to the following entities:

26 (a) To each public utility company and to each railroad
27 company owning or operating a public utility or railroad within the

1 jurisdictional area of the proposing planning commission or any
2 other entity that registers its name and mailing address with the
3 proposing planning commission.

4 (b) To each state agency responsible for managing at least 10
5 contiguous acres of public lands within the jurisdictional area of
6 the planning commission.

7 (c) If the proposing planning commission is a municipal
8 planning commission or joint municipal planning commission, to each
9 municipal planning commission, joint municipal planning commission,
10 county road commission, county drain commission, and county
11 planning commission, or if there is not a county planning
12 commission, to each regional planning commission, whose
13 jurisdictional area is contiguous to or includes all or part of the
14 jurisdictional area of the proposing planning commission.

15 (d) If the proposing planning commission is a county planning
16 commission, to each municipal planning commission, joint municipal
17 planning commission, county planning commission, and regional
18 planning commission whose jurisdictional area is contiguous to or
19 includes all or part of the jurisdictional area of the proposing
20 planning commission.

21 (e) If the proposing planning commission is a regional
22 planning commission, to each county planning commission and
23 regional planning commission whose jurisdictional area is
24 contiguous to or includes all or part of the jurisdictional area of
25 the proposing planning commission.

26 (2) The notice under this section may request permission for
27 electronic submission of any information required to be submitted

1 under section 57, 59, or 63(3). If the entity to which the notice
2 is sent grants permission, information submitted to or by that
3 entity under section 57, 59, or 63(3) may be submitted
4 electronically. Otherwise, the information shall be submitted in
5 writing.

6 (3) Any person entitled to notice under this section shall be
7 given an opportunity to meet with the planning commission or a
8 representative of the planning commission to discuss the proposed
9 plan.

10 (4) The planning commission shall consider the written or
11 electronically submitted comments of persons entitled to notice
12 under this section and the written or electronically submitted
13 comments of other interested persons as it prepares and revises a
14 proposed plan.

15 Sec. 57. (1) As the starting point for preparation of a plan
16 under this act, a planning commission shall use any existing plan
17 that was adopted under an act listed in section 111 if adopted
18 before the effective date of this act or that was in the process of
19 being prepared or adopted under an act listed in section 111 on the
20 effective date of this act and was adopted within 2 years after the
21 effective date of this act.

22 (2) After preparing a proposed plan, a municipal planning
23 commission or joint municipal planning commission shall submit the
24 proposed plan to the governing body of the municipality for
25 preliminary approval or the governing bodies of the participating
26 municipalities for preliminary approval by agreement. A county
27 planning commission for a county in which the county board of

1 commissioners has adopted a resolution stating that it will
2 exercise authority to approve or reject the plan or has adopted a
3 zoning ordinance shall submit the proposed plan for preliminary
4 approval to the county board of commissioners.

5 (3) After obtaining preliminary approval under subsection (2),
6 if applicable, the proposing planning commission shall submit a
7 copy of the proposed plan as follows:

8 (a) To each entity entitled to notice under section 55(1)(a).
9 The proposed plan shall be submitted to the entity with a notice
10 that, not more than 63 days after the date of submittal of the
11 proposed plan, the entity may submit to the proposing planning
12 commission any comments on the plan.

13 (b) To each reviewing entity. The proposed plan shall be
14 submitted to a reviewing entity with a notice that, not more than
15 63 days after the date of submittal of the proposed plan, the
16 reviewing entity may submit to the proposing planning commission
17 any objections to the plan, along with any other comments on the
18 plan. Objections shall include specific facts supporting the
19 objection.

20 Sec. 59. (1) A proposing planning commission shall consider
21 and reply to each written objection or comment made by a reviewing
22 entity. If the proposing planning commission disagrees with any
23 objection or other comment made by a reviewing entity, the reply
24 shall so state along with the reasons why the proposing planning
25 commission disagrees. The reply may propose changes to the proposed
26 plan.

27 (2) A regional planning commission shall adopt a plan pursuant

1 to procedures set forth in this chapter and with additional,
2 consistent procedures adopted by the regional planning commission.
3 The additional procedures shall, at a minimum, require that at
4 least 60% of the counties lying in whole or part within the
5 jurisdictional area of the regional planning commission consent to
6 the plan before it is adopted. If a municipality submits comments
7 on a proposed regional plan to the regional planning commission,
8 the municipality shall submit a copy to the county planning
9 commission or, if there is no county planning commission, to the
10 county board of commissioners of the county in which the
11 municipality is located.

12 (3) This section does not prohibit a reviewing entity, when
13 formulating its response to the proposed plan based on the criteria
14 set forth in this section, from considering the comments and
15 objections of any other person, including, but not limited to, any
16 local unit of government to which the plan was not required to be
17 submitted.

18 Sec. 61. After satisfying the requirements of section 59, the
19 proposing planning commission shall hold a public hearing on the
20 plan. The planning commission shall publish notice of the public
21 hearing twice in a newspaper having a general circulation in the
22 jurisdictional area of the planning commission. The notices shall
23 be published at least 2 weeks apart and not more than 28 days or
24 less than 7 days before the hearing. The notices shall include the
25 following information:

26 (a) The jurisdictional area of the planning commission.

27 (b) The date, time, and location of the public hearing.

1 (c) A list of the elements identified in sections 45 to 53
2 that are covered by the proposed plan.

3 (d) The place and time at which a copy of the proposed plan
4 may be purchased or inspected.

5 (e) The place, time, and telephone number at which further
6 information on the proposed plan can be obtained.

7 Sec. 63. (1) After the hearing under section 61, the proposing
8 planning commission shall approve or reject the plan, with or
9 without any changes proposed by the planning commission under
10 section 59, by majority vote of the full membership of the planning
11 commission.

12 (2) Approval by the planning commission under subsection (1)
13 is the final step for adoption of either of the following plans:

14 (a) A regional plan.

15 (b) A county plan, unless the county board of commissioners
16 has adopted a resolution stating that it will exercise authority to
17 approve or reject the plan or has adopted a zoning ordinance.

18 (3) The final step for adoption of a county plan for a county
19 in which the county board of commissioners has adopted a resolution
20 described in subsection (2)(b), for a municipal plan, or for a
21 joint municipal plan is approval by the governing body of the
22 county, by the governing body of the municipality, or by agreement
23 of the governing bodies of the participating municipalities,
24 respectively. After the planning commission approves the plan, it
25 shall submit the plan to the governing body or governing bodies for
26 adoption. If the governing body determines or the governing bodies
27 agree that the plan should be changed, the governing body or

1 governing bodies shall submit a clear statement of each proposed
2 change and the rationale for the proposed change as follows:

3 (a) To each entity entitled to notice under section 55(1)(a).
4 The statement shall be submitted along with a notice that, not more
5 than 63 days after the date of submittal of the statement, the
6 entity may submit to the proposing planning commission any comments
7 on a proposed change.

8 (b) To each reviewing entity. The statement shall be submitted
9 along with a notice that, not more than 63 days after the date of
10 submittal of the statement, the reviewing entity may submit to the
11 proposing planning commission any objection to a proposed change,
12 along with any other comments on a proposed change.

13 (c) To the proposing planning commission. Not more than 28
14 days after the deadline for submitting comments under subdivisions
15 (a) and (b), the proposing planning commission shall submit to the
16 governing body or governing bodies its comments on the changes
17 proposed by the governing body or governing bodies.

18 (4) The governing body, or the governing bodies by agreement,
19 shall approve or reject the plan, with or without any changes
20 proposed under subsection (3), by majority vote of its full
21 membership.

22 (5) Notice of final adoption of a plan under this section
23 shall be published once in a newspaper of general circulation in
24 the jurisdictional area of the planning commission not more than 14
25 days after adoption. The notice of adoption shall include the
26 following information:

27 (a) That a plan was adopted pursuant to this act.

1 (b) The jurisdictional area of the planning commission.

2 (c) A listing of the elements identified in sections 45 to 53
3 that are covered by the plan.

4 (d) The effective date of the plan, which shall not be earlier
5 than the date of publication of the notice.

6 (e) The place and time at which a copy of the plan may be
7 purchased or inspected.

8 (f) The place, time, and telephone number at which further
9 information on the plan can be obtained.

10 (6) The final page of the plan shall include all of the
11 following:

12 (a) The date of adoption of the plan.

13 (b) The roll call vote of the planning commission and, if
14 applicable, the roll call vote of the governing body or roll call
15 votes of the governing bodies.

16 (7) At the time of adoption, a plan shall have an appendix
17 that includes all of the following:

18 (a) A list of all reviewing entities.

19 (b) A written copy of all correspondence from reviewing
20 entities before adoption, along with all written replies.

21 (c) A summary of all written or oral comments on the proposed
22 plan received from the public at the public hearing on the proposed
23 plan under section 61 and of all written or electronically
24 submitted comments received from the public after that public
25 hearing.

26 (8) Promptly after a plan is adopted, the planning commission
27 shall transmit a certified copy of the plan to all of the

1 following:

2 (a) To each reviewing entity.

3 (b) If the plan is a joint municipal plan or regional plan, to
4 the governing body of each participating political subdivision.

5 (c) If the plan is a municipal plan or joint municipal plan,
6 to the regional planning commission whose jurisdictional area
7 includes all or part of the jurisdictional area of the planning
8 commission submitting the plan.

9 (d) If the plan is a municipal plan, joint municipal plan, or
10 regional plan, to the county planning commission or, if there is
11 not a county planning commission, the county clerk of each county
12 that includes all or part of the jurisdictional area of the
13 planning commission transmitting the plan. The county planning
14 commission or county clerk shall make a record of receipt for all
15 adopted plans, which shall include the date, means of transmittal,
16 and name and address of the planning commission that transmitted
17 the plan. The county planning commission or county clerk shall
18 maintain the record of transmittal with the original copy of the
19 plan.

20 (9) Subject to subsection (10), in the office of the county
21 planning commission, or, if there is no county planning commission,
22 in the office of the county clerk, each county shall maintain in
23 writing at a single location and make available for public
24 inspection during normal business hours all of the following:

25 (a) Any plan that has been submitted to the county planning
26 commission as a reviewing entity under section 57(3)(b) and that
27 has been adopted or whose adoption is pending.

1 (b) The county plan, if any.

2 (c) The regional plan adopted by the regional planning
3 commission in which that county is located, if any.

4 (d) The capital facilities map prepared under section 71.

5 (10) Instead of maintaining a written plan, a county may
6 instead maintain all or part of the plans or capital facility map
7 under subsection (9) on a publicly accessible internet site in a
8 readily accessible format.

9 (11) A municipal plan or joint municipal plan adopted under
10 this act supersedes a plan for that municipality or 1 of those
11 municipalities adopted under 1931 PA 285, MCL 125.31 to 125.45,
12 1959 PA 168, MCL 125.321 to 125.333, or the joint municipal
13 planning act, 2003 PA 226, MCL 125.131 to 125.143. A county plan
14 adopted under this act supersedes a plan for that county adopted
15 under 1945 PA 282, MCL 125.101 to 125.115.

16 Sec. 65. (1) A successive part of a plan or other amendment to
17 a plan shall be adopted pursuant to the same procedures that govern
18 the adoption of a plan except as follows:

19 (a) An entity to which notice of the start of a plan amendment
20 process is given under section 55 may reply in writing that it does
21 not desire to review a plan amendment, in which case further
22 information about the plan amendment need not be sent to that
23 entity.

24 (b) The period for responding to a proposed successive part or
25 other amendment to a plan under section 57 is 42 days.

26 (c) Before approving an amendment to a plan, a planning
27 commission shall make written findings that the proposed plan

1 amendment is consistent with and promotes the CIP, if any, for the
2 jurisdictional area of the planning commission.

3 (2) Every 5 years after adoption of the plan, the planning
4 commission shall review the plan and prepare and recommend adoption
5 of any amendments to the plan that it considers advisable. The plan
6 shall only be amended once each year after its adoption.

7 (3) All proposals for amendments to a plan shall be processed
8 concurrently so the cumulative effect of the various proposals can
9 be ascertained. A governing body shall document the reason for a
10 plan amendment in the motion to approve the plan amendment.

11 (4) An amendment to a CIP does not constitute a plan amendment
12 under this section.

13 CHAPTER 4

14 CAPITAL IMPROVEMENT PROGRAMS

15 Sec. 71. (1) If a county plan, municipal plan, or joint
16 municipal plan is adopted, the governing body of the county or
17 municipality, or the governing bodies of the municipalities acting
18 jointly by agreement, that adopted the plan shall prepare and adopt
19 a capital improvement program that provides for capital facilities
20 that are necessary or desirable to support the land use proposed in
21 the plan and to meet projected needs of the county or municipality
22 or the governing bodies of the municipalities acting jointly.

23 (2) The CIP shall be based on an inventory, including the
24 locations and capacities, of capital facilities that support the
25 land use plan, and a forecast of future needs for such capital
26 facilities to serve both existing development and new development.
27 The inventory and forecast of future needs may be included in the

1 proposed CIP or in a separate document.

2 (3) The CIP shall include the following with respect to
3 capital facilities that are to be acquired, sold, constructed, or
4 improved within the current year and the next 5 or more years:

5 (a) A map and narrative information on the proposed location
6 of new or expanded facilities.

7 (b) The capacities, costs, and a schedule for the
8 construction, acquisition, or renovation of new or expanded
9 facilities.

10 (c) A 6-year or longer plan that will finance the capital
11 facilities.

12 (d) Projected impacts of the capital facilities on future
13 operating budgets.

14 (4) A county CIP adopted under this chapter shall aggregate
15 the CIPs of municipalities within the county. In addition, if the
16 county has adopted a county plan, a county CIP adopted under this
17 chapter shall also include all capital facilities to be acquired,
18 constructed, or improved using funds under the control of the
19 county board of commissioners, county road commission, county drain
20 commissioner, or other special entities created with the county as
21 a partner or sole responsible entity. A county board of
22 commissioners may withhold funds from any county agency that does
23 not submit its proposed capital facility plan or capital
24 improvement plan to the county board of commissioners.

25 (5) The governing body or each governing body shall conduct a
26 public hearing on the proposed CIP and approve the CIP. Approval of
27 the proposed CIP by the governing body or governing bodies is the

1 final step for adoption of a CIP. The CIP is effective upon
2 adoption.

3 (6) Promptly after a CIP is adopted, the governing body or
4 governing bodies adopting the CIP shall submit a certified copy of
5 the CIP to the planning commission. Upon adoption of a CIP, the
6 governing body or governing bodies adopting the CIP shall submit a
7 certified copy of the CIP to the county planning commission of each
8 county within which all or part of the jurisdictional area of the
9 governing body or governing bodies is located, or, if there is no
10 county planning commission, to the county clerk.

11 (7) A governing body or governing bodies may request
12 permission for electronic submission of any information required to
13 be submitted under this section. If the entity to which the notice
14 is sent grants permission, information submitted to or by that
15 entity under this section may be submitted electronically.
16 Otherwise, the information shall be submitted in writing.

17 Sec. 73. (1) The CIP shall be adopted at the same time the
18 plan is adopted, or no later than 1 year after the initial adoption
19 of a plan under this act.

20 (2) After a CIP is adopted, the governing body or governing
21 bodies that adopted the CIP shall review the CIP at least annually
22 for the purpose of updating projects and funding, to reassess the
23 CIP and land use plan if probable funding falls short of meeting
24 existing needs, and to ensure that the land use plan and the CIP
25 are coordinated and consistent.

26 (3) If a CIP was adopted under this chapter, an amendment to
27 the CIP shall be adopted pursuant to the same procedures under this

chapter that govern adoption of a CIP.

Sec. 75. (1) Capital facilities included in CIPs shall have a higher priority for state appropriations, including, but not limited to, appropriations of federal funds passed through this state, than capital facilities not included in CIPs.

(2) If a CIP proposes to finance a capital facility using state funds, including, but not limited to, federal funds passed through this state, the governing body of the local unit or local units that prepared the CIP shall submit to the department all of the following:

(a) A request for funding assistance.

(b) A description of the proposed capital facility.

(c) A copy of the CIP or the specific portion of the CIP relevant to the capital facility.

CHAPTER 5

PLANNING COMMISSION POWERS RELATED TO ZONING

AND SUBDIVISION REVIEW

Sec. 81. Within 1 year after the effective date of this act, the governing body of a local unit, by ordinance or resolution, shall transfer to a planning commission all powers and duties for a zoning board or commission provided by the county zoning act, 1943 PA 183, MCL 125.201 to 125.240; the township zoning act, 1943 PA 184, MCL 125.271 to 125.310; or the city and village zoning act, 1921 PA 207, MCL 125.581 to 125.600, as applicable, if the zoning board or commission has been in existence for more than 3 years after the effective date of this act. If the zoning board or commission is nearing the completion of drafting an interim zoning

1 ordinance, the governing body shall postpone the transfer of the
2 zoning board's powers and duties until the completion of the zoning
3 plan and adoption of an interim zoning ordinance by the governing
4 body, but the postponement shall not exceed 1 year.

5 Sec. 83. The governing body of a local unit shall refer plats
6 and other matters relating to land development to the planning
7 commission before final action thereon by the governing body and
8 may request the planning commission to recommend regulations
9 governing the subdivision of land consistent with the land division
10 act, 1967 PA 288, MCL 560.101 to 560.293.

11 CHAPTER 6

12 STATE AGENCY PLANS AND STATE PLANNING ASSISTANCE

13 Sec. 91. The department of management and budget shall
14 initiate within 2 months after the effective date of this act and
15 thereafter continue the following activities either within the
16 department or, by interdepartmental agreement, with 1 or more other
17 state departments:

18 (a) Preparing recommendations on incentives for state funding
19 of capital facilities included in CIPs.

20 (b) Preparing guidelines for the siting of essential capital
21 facilities and development of coordinated plans by the state
22 transportation department, the department of natural resources, the
23 department of environmental quality, the department of education,
24 the department of corrections, the state housing development
25 authority, and other state departments and state agencies that have
26 responsibility for developing or maintaining state lands or other
27 state capital facilities or for providing capital facility

1 financing directly from the state or as a pass-through from the
2 federal government to local units. The guidelines shall include
3 procedures for the preparation of proposed plans, criteria to be
4 used to evaluate and document the degree of consistency with the
5 adopted plans of local units, and procedures for the final adoption
6 of plans by a state department or agency. The guidelines shall
7 require a state department or agency to hold a public hearing
8 before preparing a proposed plan and before finally adopting a plan
9 and shall provide procedures for the conduct of the hearings. The
10 guidelines shall also require the state department or agency to
11 give notice of a public hearing to each local unit and region. The
12 notice shall indicate that interested persons may submit written or
13 oral comments at the public hearing or written or electronic
14 comments before or after the public hearing. After a plan is
15 adopted by a state department or state agency, the plan shall be
16 used as the basis for capital improvements, land acquisition, or
17 disposition of state lands and facilities, and state grants or
18 pass-through money for that state department or state agency.

19 (c) Compiling the capital facility needs of all state agencies
20 into a consolidated proposed statement of needs and consolidated
21 state capital facilities map. The director of the department of
22 management and budget shall send a copy of the consolidated
23 proposed statement of needs and consolidated state capital
24 facilities map to each of the following:

25 (i) Each regional planning commission and county planning
26 commission.

27 (ii) The governing body of each local unit of government.

1 Sec. 93. In developing any guidelines, model plans or
2 ordinances, standards and procedures, or rules under this act, the
3 department shall seek the input and assistance of the Michigan
4 municipal league, the Michigan townships association, the Michigan
5 association of counties, the Michigan association of regions, and
6 the Michigan society of planning or the successor to any of these
7 organizations.

8 Sec. 95. (1) The legislature shall appropriate grant funding
9 for the preparation of plans under this act in amounts provided in
10 section 97 for at least the first 7 years after the effective date
11 of this act.

12 (2) Within the first 2 years of the effective date of funding
13 of this act, regional planning commissions and counties shall be
14 awarded grants covering 75% of the cost of developing databases,
15 maps, and other tools that will be used by municipal planning
16 commissions or joint municipal planning commissions to prepare
17 plans. A regional planning commission or county is not eligible to
18 receive a grant under this subsection more than once.

19 (3) Beginning 2 years after the effective date of funding
20 under this act, regional planning commissions and local units shall
21 be awarded grants covering 50% of the cost of preparing plans. A
22 regional planning commission or local unit is not eligible to
23 receive a grant under this subsection more than once during the
24 first 5 years that grants are awarded under this subsection.

25 (4) The legislature may allocate up to 5% of the total grant
26 money available to regional planning commissions and local units
27 for 50% matching grants to nonprofit organizations and citizen

1 organizations to promote and enhance broad based citizen
2 participation in the preparation of plans under this act.

3 Sec. 97. (1) For each of at least the first 7 years after the
4 effective date of this act, the legislature shall appropriate from
5 the general fund at least \$15,000,000.00 for grant money for the
6 purposes set forth in section 95, unless another source of money in
7 at least an equal amount is provided. If \$15,000,000.00 per year is
8 not sufficient to fund grants in the amount required by section 95,
9 the department shall request a supplemental appropriation necessary
10 to fund such grants. If supplemental appropriations are not made,
11 or are inadequate, the department shall extend the grant program
12 beyond 7 years for the period of time necessary to fund grants in
13 the amount required by section 95 for all local units and regional
14 planning commissions seeking such grants.

15 (2) The department shall separately request appropriations to
16 carry out its responsibilities under this chapter. Such
17 appropriations shall be allocated from and not exceed 5% of the
18 annual appropriations for the preparation of local unit and
19 regional plans under this section.

20 Sec. 99. (1) Within 60 days after the effective date of this
21 act, the department shall request the legislature for the
22 appropriations necessary to implement this chapter. Thereafter, the
23 department shall include an appropriations request for this purpose
24 as part of the annual budget process.

25 (2) Subject to section 93, the department shall adopt
26 standards and procedures for application, review, and approval of
27 requests for grants under this chapter pursuant to the

1 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
2 24.328. The legislature finds that preservation of the public
3 health, safety, and welfare in light of the conditions intended to
4 be addressed by plans and CIPs requires that the rules initially be
5 promulgated under section 48 of the administrative procedures act
6 of 1969, 1969 PA 306, MCL 24.248, within 120 days after the
7 effective date of this act. The department shall adhere to the
8 criteria in section 95 and establish standards for priority of
9 assistance that consider rates of loss of farm and forest land,
10 population growth rates, commercial and industrial development
11 growth rates, land division rates, the existence, age, and quality
12 of existing plans of local units, and other relevant factors.
13 Separate criteria and procedures shall be established for grants to
14 enhance citizen participation. Local units and regional planning
15 commissions shall not be eligible for money to enhance citizen
16 participation, except in partnership with other nonprofit
17 organization or citizen groups which must be the principal
18 recipient of any grants awarded. The department shall attempt to
19 ensure a broad range of interested parties are involved in the
20 development of a plan before approving a grant request under this
21 chapter.

22 CHAPTER 7

23 REPEAL

24 Sec. 111. The following acts are repealed 7 years after the
25 effective date of this act:

26 (a) 1931 PA 285, MCL 125.31 to 125.45.

27 (b) 1945 PA 282, MCL 125.101 to 125.115.

1 (c) 1959 PA 168, MCL 125.321 to 125.333.

2 (d) The joint municipal planning act, 2003 PA 226, MCL 125.131
3 to 125.143.

4 Enacting section 1. This act does not take effect unless all
5 of the following bills of the 93rd Legislature are enacted into
6 law:

7 (a) Senate Bill No. _____ or House Bill No. _____ (request no.
8 02942'05 a).

9 (b) Senate Bill No. _____ or House Bill No. _____ (request no.
10 02942'05 b).

11 (c) Senate Bill No. _____ or House Bill No. _____ (request no.
12 02942'05 c).

13 (d) Senate Bill No. _____ or House Bill No. _____ (request no.
14 02942'05 d).