

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 509 (as introduced 4-15-99)
Senate Bills 515 through 518 (as introduced 4-15-99)
Sponsor: Senator Walter H. North (S.B. 509)
 Senator Mat J. Dunaskiss (S.B. 515)
 Senator Bill Bullard, Jr. (S.B. 516 & S.B. 517)
 Senator Shirley Johnson (S.B. 518)
Committee: Local, Urban and State Affairs

Date Completed: 5-5-99

CONTENT

The bills would amend the Natural Resources and Environmental Protection Act (NREPA) and various zoning Acts to permit a condemning agency, when acquiring a portion of a parcel of property under the Uniform Condemnation Procedures Act, to seek a variance from certain zoning regulations.

(Under the Uniform Condemnation Procedures Act, "agency" means a public or private agency. "Private agency" means a person, partnership, association, corporation, or entity, other than a public agency, authorized by law to condemn property. "Public agency" means a governmental unit, officer, or subdivision authorized by law to condemn property.)

Senate Bill 509 would amend the Airport Zoning Act to permit an agency acting under the Uniform Condemnation Procedures Act to apply to the board of appeals for a variance from the zoning regulations adopted under the Airport Zoning Act.

Currently, under the NREPA, a local unit of government must conform to the Township Zoning Act or the County Zoning Act as well as NREPA requirements when establishing a zoning ordinance. Under Senate Bill 515, a local unit also would have to conform to the variance requirements of those zoning Acts. In addition, the bill would permit an agency, acting under the Uniform Condemnations Procedures Act, a local unit of government, or a landowner to apply to the Department of Natural Resources for a change in boundaries or permitted uses. (The Act requires the Department to promulgate a zoning rule to implement Part 305 (Natural Rivers) of the NREPA.)

Senate Bills 516, 517, and 518 would amend the County Zoning Act, the Township Zoning Act, and the City and Village Zoning Act, respectively, to permit an agency to seek a variance from a county board of zoning appeals, a township zoning board of appeals, or a city or village board of appeals under the Uniform Condemnation Procedures Act.

MCL 259.454 (S.B. 509)
MCL 324.30510 & 324.30512 (S.B. 515)
MCL 125.220 (S.B. 516)
MCL 125.290 (S.B. 517)
MCL 125.585 (S.B. 518)

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: R. Ross

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.