

**PLANNING COMMISSIONS:
CONSULT WITH OTHER UNITS**

House Bill 5038
Sponsor: Rep. Ruth Johnson

House Bill 5252
Sponsor: Rep. James Koetje

House Bill 5267
Sponsor: Rep. Patricia Birkholz

Committee: Land Use and Environment

Complete to 10-19-01

**A SUMMARY OF HOUSE BILL 5038 AS INTRODUCED 7-12-01 AND HOUSE BILLS
5252 AND 5267 AS INTRODUCED 10-17-01**

The bills would, generally speaking, require planning commissions at the township, city, village, and county levels to consult with one another, and with regional planning commissions, and to share (by mail) proposed master plans for review and comment before adoption. Once plans had been adopted, they would have to be transmitted to the consulting jurisdictions.

House Bill 5038 would amend Public Act 168 of 1959 (MCL 125.326 and 125.329), which deals with township planning commissions. House Bill 5252 would amend Public Act 282 of 1945 (MCL 125.104 et al.), which deals with county planning commissions. House Bill 5267 would amend the General Municipal Planning Act (MCL 125.36 et al.), which addresses planning commissions in cities, villages, and townships. The plans in question are referred to in the acts as, respectively, a basic plan, a county plan, and a master plan.

Under each of the bills, a planning commission would have to mail a copy of a proposed plan (including an amendment or an addition to a plan) by first-class mail, for review and comment, to certain other specified jurisdictions (contiguous local units or units contained within the unit engaged in planning), as well as to the regional planning commission, if there was one. The units receiving the proposed plan could submit written comments, including comments on whether the proposed plan was inconsistent with its plans. The consultation, mailing, and comment process would vary somewhat from bill to bill.

House Bill 5038. Townships are already required by Public Act 168 to consult with adjacent townships, the county planning commission, incorporated municipalities within the township, and with the regional planning commission, if any. House Bill 5038 would rewrite the act to require consultation with the county planning commission or the county board of commissioners, if there is no planning commission; the planning commission of each township, city, or village contiguous to or located within the township (or the local legislative body if there is no planning commission); and the regional planning commission. Under the bill, the township would have to mail a copy of its proposed basic plan by first-class mail, for comment, to the

county planning commission, and the county planning commission would have to promptly mail the proposed basic plan to the planning commission of contiguous cities, villages, and townships and to the regional planning commission. If those planning commissions submitted written comments to the township that originally mailed the proposed plan, they would also have to submit them to the county planning commission. The county planning commission would have to mail its comments on the proposed basic plan not less than 45 days or more than 75 days after the date the township had originally mailed it to the county. The comments would have to include a statement whether the county planning commission considered the proposed basic plan to be inconsistent with any plan of a city, village, or township that had been consulted and a statement whether the proposed basic plan was inconsistent with the county plan. Following the adoption of the basic plan or an amendment to the plan, the township planning commission would have to transmit copies to the township board and to the county planning commission. The county planning commission, in turn, would transmit a copy of the basic plan to the cities, villages, and townships consulted and to the regional planning commission.

House Bill 5267. A municipal planning commission would be required to consult in respect to its planning with contiguous cities, villages, townships, and counties and could consult with the regional planning commission. Once a proposed master plan had been submitted to and commented upon by the local legislative body, the municipal planning commission would have to mail a copy by first-class mail, for review and comment, to the planning commissions of contiguous cities, villages, townships, and counties, or their legislative bodies if they did not have planning commissions, and could mail a copy to the regional planning commission. The recipients of the mailed plan could submit written comments within 40 days after the mailing, with the comments to include a statement whether the master plan was inconsistent with a plan of their own. Following adoption of the master plan, the municipal planning commission would have to promptly mail by first-class mail a copy to the jurisdictions to which it mailed the proposed plan. (It also would have to transmit a notice of adoption of the plan and a copy of the plan to the local legislative body of the municipality.)

House Bill 5252. A county planning commission also would be required to consult with the planning boards of contiguous and constituent cities, villages, and townships, and contiguous counties and the regional planning commission. After a proposed county plan had been submitted to and commented upon by the county board of commissioners, the county planning commission would have to mail a copy of the proposed plan to the planning commissions of the contiguous and constituent units and to the regional planning commission. Those planning commissions could submit written comments within 40 days after the mailing, with the comments to include statements as to whether the proposed plan was inconsistent with their plans. As with townships and municipalities, the county planning commission would have to promptly mail by first-class mail an adopted county plan to the planning commissions that had been mailed the proposed plan.

Analyst: C. Couch

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.