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BILL ANALYSIS

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House Bill 5479 (Substitute S-1)

Sponsor: Representative Philip LaJoy

House Committee: Natural Resources, Great Lakes, Land Use and Environment

Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 6-13-06

CONTENT

The bill would amend the Revised School Code to require the governing board of a public school, before building or expanding a high school building outside of a city or village, to submit a site plan to the local zoning authority for its review and concurrence.

Specifically, the bill would prohibit the governing board of a public school from building or expanding a high school building on a site, unless the site were located within a city or village, without first submitting a site plan to the local zoning authority for administrative review. Within 45 days after receiving the site plan, the local zoning authority would have to respond to the governing board either with a written notice that the authority concurred with the site plan, or with written suggested changes to the plan. If the zoning authority did not respond with either of these options, the governing board would be considered to have received a written notice of concurrence.

If there were written suggested changes, the governing board would have to respond to the zoning authority with a revised site plan incorporating the changes or with an explanation of why they were not being made. The governing board's response would be required within 30 days after the board received the suggested changes. If both the governing board and the local zoning authority agreed, that response period and the authority's initial 45-day response period could be expanded.

The bill specifies that the communication between the governing board and the zoning authority would be for informational purposes only, and would not require the governing board to make any changes to its site plan.

The bill's requirements would apply to expansion of a high school building only if the expansion would result in an increase of at least 20% in the square footage of the building. The requirements would not apply to temporary structures or facilities that were necessary because of unexpected enrollment increases and were used for not more than two years.

A local zoning authority could not charge a governing body a fee that exceeded \$250 for an applicable administrative review, or \$1,500 for total costs incurred by the zoning authority for the specific project involved.

As used in the bill, "high school building" would mean any structure or facility used for instructional purposes that offered at least one grade between 9 and 12, and that included an athletic field or facility.

FISCAL IMPACT

The bill would have no fiscal impact on State government. A school district proposing to build or expand a high school by more than 20% outside of a city or village would incur costs up to \$250 for an administrative review of the proposal, or up to \$1,500 for total costs incurred by a local zoning authority for the project involved.

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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.