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BILL ANALYSIS

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Senate Bill 115 (Substitute S-1 as reported)

Sponsor: Senator Patricia L. Birkholz

Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend the Joint Municipal Planning Act to allow municipalities establishing a joint planning commission to provide for the phased transfer of powers to it, and to adopt a joint zoning ordinance. The bill also would refer to the Michigan Zoning Enabling Act, as well as procedures under that Act, instead of specified zoning acts.

The Joint Municipal Planning Act permits the legislative bodies of two or more municipalities each to adopt an ordinance approving an agreement establishing a joint planning commission. Under the bill, the agreement could provide for the phased transfer to the joint planning commission of the powers and duties of existing planning commissions or zoning boards or commissions.

The bill also would allow the participating municipalities, with the joint planning commission acting as the zoning commission, each to adopt a joint zoning ordinance that affected the jurisdictional area of the joint planning commission and provided for the joint administration of the ordinance, including a joint zoning board of appeals.

Currently, an agreement must specify the zoning act whose procedure will be followed by the joint planning commission in exercising the powers and performing the duties of a zoning board or zoning commission. The zoning act must be one that otherwise would apply to at least one participating municipality. The bill would delete these requirements.

Under the bill, for situations in which the procedures under the Michigan Zoning Enabling Act applicable to a planning commission depend on whether the relevant municipality is a township, or a city or village, the agreement would have to specify either that the procedures applicable to a township would be followed by the joint planning commission or that the procedures applicable to a city or village would be followed. Procedures applicable to a township, or applicable to a city or village, could not be designated unless at least one of the participating municipalities was a township, or one was a city or village, respectively.

MCL 125.135 & 125.137

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State government. The bill would have an unknown and likely negligible impact on local units.

Date Completed: 2-22-07

Fiscal Analyst: David Zin

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Bill Analysis @ www.senate.michigan.gov

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.