

SENATE BILL No. 1331

May 12, 2010, Introduced by Senators CROPSEY, OLSHOVE, BASHAM, JACOBS, CHERRY, ANDERSON, ALLEN and HUNTER and referred to the Committee on Senior Citizens and Veterans Affairs.

A bill to amend 2008 PA 33, entitled
"Michigan planning enabling act,"
by amending sections 3 and 31 (MCL 125.3803 and 125.3831).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Chief administrative official" means the manager or other
3 highest nonelected administrative official of a city or village.

4 (b) "Chief elected official" means the mayor of a city, the
5 president of a village, the supervisor of a township, or, subject
6 to section 5, the chairperson of the county board of commissioners
7 of a county.

8 (c) "County board of commissioners", subject to section 5,
9 means the elected county board of commissioners, except that, as
10 used in sections 39 and 41, county board of commissioners means 1

1 of the following:

2 (i) A committee of the county board of commissioners, if the
3 county board of commissioners delegates its powers and duties under
4 this act to the committee.

5 (ii) The regional planning commission for the region in which
6 the county is located, if the county board of commissioners
7 delegates its powers and duties under this act to the regional
8 planning commission.

9 (d) "Ex officio member", in reference to a planning
10 commission, means a member, with full voting rights unless
11 otherwise provided by charter, who serves on the planning
12 commission by virtue of holding another office, for the term of
13 that other office.

14 (e) "Legislative body" means the county board of commissioners
15 of a county, the board of trustees of a township, or the council or
16 other elected governing body of a city or village.

17 (f) "Local unit of government" or "local unit" means a county
18 or municipality.

19 (g) "Master plan" means either of the following:

20 (i) As provided in section 81(1), any plan adopted or amended
21 ~~before the effective date of this act~~ **SEPTEMBER 1, 2008** under a
22 planning act repealed under section 85.

23 (ii) Any plan adopted or amended under this act. This includes,
24 but is not limited to, a plan prepared by a planning commission
25 authorized by this act and used to satisfy the requirement of
26 section 203(1) of the Michigan zoning enabling act, 2006 PA 110,
27 MCL 125.3203, regardless of whether it is entitled a master plan,

1 basic plan, county plan, development plan, guide plan, land use
2 plan, municipal plan, township plan, plan, or any other term.

3 (h) "Municipality" or "municipal" means or refers to a city,
4 village, or township.

5 (i) "Planning commission" means either of the following, as
6 applicable:

7 (i) A planning commission created pursuant to section 11(1).

8 (ii) A planning commission retained pursuant to section 81(2)
9 or (3), subject to the limitations on the application of this act
10 provided in section 81(2) and (3).

11 (j) "Planning jurisdiction" for a county, city, or village
12 refers to the areas encompassed by the legal boundaries of that
13 county, city, or village, subject to section 31(1). Planning
14 jurisdiction for a township refers to the areas encompassed by the
15 legal boundaries of that township outside of the areas of
16 incorporated villages and cities, subject to section 31(1).

17 (k) "Population" means the population according to the most
18 recent federal decennial census or according to a special census
19 conducted under section 7 of the Glenn Steil state revenue sharing
20 act of 1971, 1971 PA 140, MCL 141.907, whichever is the more
21 recent.

22 (l) **"SENIOR CITIZEN" MEANS AN INDIVIDUAL WHO IS AT LEAST 65**
23 **YEARS OLD.**

24 (M) ~~(l)~~—"Street" means a street, avenue, boulevard, highway,
25 road, lane, alley, viaduct, or other way intended for use by
26 automobiles.

27 Sec. 31. (1) A planning commission shall make and approve a

1 master plan as a guide for development within the planning
2 jurisdiction subject to section 81 and the following:

3 (a) For a county, the master plan may include planning in
4 cooperation with the constituted authorities for incorporated areas
5 in whole or to the extent to which, in the planning commission's
6 judgment, they are related to the planning of the unincorporated
7 ~~territory~~ **AREA** or of the county as a whole.

8 (b) For a township that on ~~the effective date of this act~~
9 **SEPTEMBER 1, 2008** had a planning commission created under former
10 1931 PA 285, or for a city or village, the planning jurisdiction
11 may include any areas outside of the municipal boundaries that, in
12 the planning commission's judgment, are related to the planning of
13 the municipality.

14 (2) In the preparation of a master plan **OR SUBSTANTIVE**
15 **AMENDMENT TO A MASTER PLAN**, a planning commission shall do all of
16 the following, as applicable:

17 (a) Make careful and comprehensive surveys and studies of
18 present conditions and future growth within the planning
19 jurisdiction with due regard to its relation to neighboring
20 jurisdictions.

21 (b) Consult with representatives of adjacent local units of
22 government in respect to their planning so that conflicts in master
23 plans and zoning may be avoided.

24 (c) Cooperate with all departments of the state and federal
25 governments and other public agencies concerned with programs for
26 economic, social, and physical development within the planning
27 jurisdiction and seek the maximum coordination of the local unit of

1 government's programs with these agencies.

2 (D) SPECIFICALLY CONSIDER THE NEEDS OF SENIOR CITIZENS. THIS
3 SUBDIVISION APPLIES ONLY TO TOWNSHIPS WITH A POPULATION OF 20,000
4 OR MORE, CITIES, AND VILLAGES.

5 (3) In the preparation of the master plan **OR AMENDMENT TO A**
6 **MASTER PLAN**, the planning commission may meet with other
7 governmental planning commissions or agency staff to deliberate.

8 (4) In general, a planning commission has such lawful powers
9 as may be necessary to enable it to promote local planning and
10 otherwise carry out the purposes of this act.