

# HOUSE BILL No. 6149

September 9, 2004, Introduced by Rep. Kolb and referred to the Committee on Land Use and Environment.

A bill to amend 1931 PA 285, entitled

"An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act,"

by amending section 7b (MCL 125.37b), as added by 2001 PA 265.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 7b. (1) A municipal plan may be adopted as a whole or  
2 by successive parts corresponding with major geographical areas  
3 of the municipality or with functional subject matter areas of  
4 the plan.

5           (2) After preparing a proposed plan, the municipal planning  
6 commission shall submit the proposed plan to the legislative body  
7 of the municipality for review and comment. The process of  
8 adopting a plan shall not proceed further unless the legislative  
9 body of the municipality approves the distribution of the  
10 proposed plan.

1           (3) If the legislative body of the municipality approves the  
2 distribution of the proposed plan, it shall notify the secretary  
3 of the municipal planning commission and the secretary shall  
4 submit a copy of the proposed plan, for review and comment, to  
5 all of the following:

6           (a) The planning commission, or if there is no planning  
7 commission, the legislative body, of each city, village, or  
8 township located within or contiguous to the municipality.

9           (b) The regional planning commission, if any, for the region  
10 in which the municipality is located, if there is no county  
11 planning commission for the county in which the municipality is  
12 located. If there is a county planning commission for the county  
13 in which the municipality is located, the secretary of the  
14 municipal planning commission may submit a copy of the proposed  
15 plan to the regional planning commission but is not required to  
16 do so.

17           (c) The county planning commission, or if there is no county  
18 planning commission, the county board of commissioners, for the  
19 county in which the municipality is located. The secretary of  
20 the municipal planning commission shall concurrently submit to  
21 the county planning commission or, if there is no county planning  
22 commission, the county board of commissioners, a statement,  
23 signed by the secretary, that the requirements of  
24 subdivisions (a) and (b) have been met. The statement shall  
25 include the name and address of each planning commission or  
26 legislative body to which a copy of the proposed plan was  
27 submitted under subdivision (a) or (b) and the date of

1 submittal.

2 (d) Each public utility company and railroad company owning  
3 or operating a public utility or railroad within the  
4 municipality, and any government entity, that registers its name  
5 and address for this purpose with the secretary of the municipal  
6 planning commission. An entity that, pursuant to this  
7 subdivision, receives a copy of a proposed plan, or of a plan as  
8 provided in section 8(5), shall reimburse the municipality for  
9 any copying and postage costs thereby incurred by the  
10 municipality.

11 (4) An entity described in subsection (3)(a), (b), or (d) may  
12 submit comments on the proposed plan to the municipal planning  
13 commission within 65 days after the proposed plan was submitted  
14 to that entity under subsection (3). A planning commission or  
15 legislative body described in subsection (3)(a) or (b) shall  
16 concurrently submit a copy of the comments to the county planning  
17 commission, or if there is no county planning commission, the  
18 county board of commissioners, for the county in which the  
19 municipality proposing the plan is located.

20 (5) Not less than 75 days or more than 95 days after the date  
21 the proposed plan was submitted to the county planning commission  
22 or the county board of commissioners under subsection (3), the  
23 county planning commission or the county board of commissioners,  
24 respectively, shall submit to the municipal planning commission  
25 its comments on the proposed plan. The comments shall include,  
26 but need not be limited to, both of the following, as  
27 applicable:

1 (a) A statement whether the county planning commission or  
2 county board of commissioners, after considering any comments  
3 received under subsection (4), considers the proposed plan to be  
4 inconsistent with the plan of any city, village, township, or  
5 region described in subsection (3)(a) or (b).

6 (b) If the county has a county plan, a statement whether the  
7 county planning commission considers the proposed plan to be  
8 inconsistent with the county plan.

9 (6) The statements provided for in subsection (5)(a) and (b)  
10 are advisory only.

11 (7) If a planning commission, legislative body, or other  
12 government entity submits comments on a proposed plan to the  
13 municipal planning commission under this section, before  
14 approving the proposed plan, the municipal planning commission  
15 shall submit to that commenting government entity a specific  
16 response to its comments. The secretary of the municipal  
17 planning commission shall incorporate each commenting government  
18 entity's comments and the municipal planning commission's  
19 responses under this section into an appendix to the plan, as  
20 proposed and as finally adopted.