

**SUBSTITUTE FOR
HOUSE BILL NO. 6152**

A bill to amend 2008 PA 33, entitled
"Michigan planning enabling act,"
by amending sections 3, 7, and 33 (MCL 125.3803, 125.3807, and
125.3833).

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,

1 means the elected county board of commissioners, except that, as
2 used in sections 39 and 41, county board of commissioners means 1
3 of the following:

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

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

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

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

19 (f) "Local unit of government" or "local unit" means a county
20 or municipality.

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

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24 planning act repealed under section 85.

25 (ii) Any plan adopted or amended under this act. This includes,
26 but is not limited to, a plan prepared by a planning commission
27 authorized by this act and used to satisfy the requirement of

1 section 203(1) of the Michigan zoning enabling act, 2006 PA 110,
2 MCL 125.3203, regardless of whether it is entitled a master plan,
3 basic plan, county plan, development plan, guide plan, land use
4 plan, municipal plan, township plan, plan, or any other term.

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

7 (i) "Planning commission" means either of the following, as
8 applicable:

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

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

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

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

24 (l) "Street" means a street, avenue, boulevard, highway, road,
25 lane, alley, viaduct, or other **PUBLIC** way intended for use by
26 ~~automobiles~~ **MOTOR VEHICLES, BICYCLES, PEDESTRIANS, AND OTHER LEGAL**
27 **USERS.**

1 Sec. 7. (1) A local unit of government may adopt, amend, and
2 implement a master plan as provided in this act.

3 (2) The general purpose of a master plan is to guide and
4 accomplish, in the planning jurisdiction and its environs,
5 development that satisfies all of the following criteria:

6 (a) Is coordinated, adjusted, harmonious, efficient, and
7 economical.

8 (b) Considers the character of the planning jurisdiction and
9 its suitability for particular uses, judged in terms of such
10 factors as trends in land and population development.

11 (c) Will, in accordance with present and future needs, best
12 promote public health, safety, morals, order, convenience,
13 prosperity, and general welfare.

14 (d) Includes, among other things, promotion of or adequate
15 provision for 1 or more of the following:

16 (i) A system of transportation to lessen congestion on streets
17 **AND PROVIDE FOR SAFE AND EFFICIENT MOVEMENT OF PEOPLE AND GOODS BY**
18 **MOTOR VEHICLES, BICYCLES, PEDESTRIANS, AND OTHER LEGAL USERS.**

19 (ii) Safety from fire and other dangers.

20 (iii) Light and air.

21 (iv) Healthful and convenient distribution of population.

22 (v) Good civic design and arrangement and wise and efficient
23 expenditure of public funds.

24 (vi) Public utilities such as sewage disposal and water supply
25 and other public improvements.

26 (vii) Recreation.

27 (viii) The use of resources in accordance with their character

1 and adaptability.

2 Sec. 33. (1) A master plan shall address land use and
3 infrastructure issues and may project 20 years or more into the
4 future. A master plan shall include maps, plats, charts, and
5 descriptive, explanatory, and other related matter and shall show
6 the planning commission's recommendations for the physical
7 development of the planning jurisdiction.

8 (2) A master plan shall also include those of the following
9 subjects that reasonably can be considered as pertinent to the
10 future development of the planning jurisdiction:

11 (a) A land use plan that consists in part of a classification
12 and allocation of land for agriculture, residences, commerce,
13 industry, recreation, ways and grounds, public buildings, schools,
14 soil conservation, forests, woodlots, open space, wildlife refuges,
15 and other uses and purposes. If a county has not adopted a zoning
16 ordinance under former 1943 PA 183 or the Michigan zoning enabling
17 act, 2006 PA 110, MCL 125.3101 to 125.3702, a land use plan and
18 program for the county may be a general plan with a generalized
19 future land use map.

20 (b) The general location, character, and extent of ~~streets,~~
21 ~~railroads, airports, bicycle paths, pedestrian ways, bridges,~~
22 ~~waterways,~~ **ALL OF THE FOLLOWING:**

23 **(i) ALL COMPONENTS OF A TRANSPORTATION SYSTEM AND THEIR**
24 **INTERCONNECTIVITY INCLUDING STREETS AND BRIDGES, PUBLIC TRANSIT,**
25 **BICYCLE FACILITIES, PEDESTRIAN WAYS, FREIGHT FACILITIES AND ROUTES,**
26 **PORT FACILITIES, RAILROAD FACILITIES, AND AIRPORTS, TO PROVIDE FOR**
27 **THE SAFE AND EFFICIENT MOVEMENT OF PEOPLE AND GOODS IN A MANNER**

1 THAT IS APPROPRIATE TO THE CONTEXT OF THE COMMUNITY AND, AS
 2 APPLICABLE, CONSIDERS ALL LEGAL USERS OF THE PUBLIC RIGHT-OF-WAY.

3 (ii) WATERWAYS and waterfront developments. ~~and sanitary~~

4 (iii) SANITARY sewers and water supply systems. ~~and facilities~~

5 (iv) FACILITIES for flood prevention, drainage, pollution
 6 prevention, and maintenance of water levels. ~~and public~~

7 (v) PUBLIC utilities and structures.

8 (c) Recommendations as to the general character, extent, and
 9 layout of redevelopment or rehabilitation of blighted areas; and
 10 the removal, relocation, widening, narrowing, vacating,
 11 abandonment, change of use, or extension of streets, grounds, open
 12 spaces, buildings, utilities, or other facilities.

13 (d) For a local unit of government that has adopted a zoning
 14 ordinance, a zoning plan for various zoning districts controlling
 15 the height, area, bulk, location, and use of buildings and
 16 premises. The zoning plan shall include an explanation of how the
 17 land use categories on the future land use map relate to the
 18 districts on the zoning map.

19 (e) Recommendations for implementing any of the master plan's
 20 proposals.

21 (3) If a master plan is or includes a master street plan OR 1
 22 OR MORE ELEMENTS DESCRIBED IN SUBSECTION (2) (B) (i), the means for
 23 implementing the master street plan OR ELEMENTS in cooperation with
 24 the county road commission and the state transportation department
 25 shall be specified in the master street plan in a manner consistent
 26 with the respective powers and duties of and any written agreements
 27 between these entities and the municipality.

1 (4) This section is subject to section 81(1).