

HOUSE BILL No. 5252

October 17, 2001, Introduced by Reps. Koetje and Raczkowski and referred to the Committee on Land Use and Environment.

A bill to amend 1945 PA 282, entitled

"An act to provide for county planning; the creation, organization, powers and duties of county planning commissions,"

by amending sections 4 and 5 (MCL 125.104 and 125.105) and by adding section 4b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) ~~It shall be a function of the~~ THE county
2 planning commission ~~to make~~ SHALL MAKE AND ADOPT a plan for the
3 development of the county. ~~, which~~ THE COUNTY plan may include
4 planning in cooperation with the constituted authorities for
5 incorporated areas in whole or to the extent to which, in the
6 PLANNING commission's judgment, they are related to the planning
7 of the unincorporated territory or of the county as a whole. The
8 plan with accompanying maps, plats, charts, and all pertinent and
9 descriptive explanatory matter shall show the planning

1 commission's recommendations for the development of the county.
 2 In the preparation of a county development plan, the planning
 3 commission shall make careful and comprehensive studies of the
 4 existing conditions and probable growth of the territory within
 5 its jurisdiction. ~~Such~~ THE plan shall be made with the purpose
 6 of guiding and accomplishing a coordinated, adjusted, and harmo-
 7 nious development of the county ~~which~~ THAT will be in accord-
 8 ance with present and future needs for best promoting the health,
 9 safety, morals, order, convenience, prosperity, and general wel-
 10 fare of the ~~inhabitants~~ RESIDENTS, as well as for efficiency
 11 and economy in the process of development. ~~It shall be the duty~~
 12 ~~of the~~

13 (2) THE county planning commission ~~to: (1) make~~ SHALL DO
 14 ALL OF THE FOLLOWING:

15 (A) CONDUCT studies, investigations, and surveys relative to
 16 the economic, social, and physical development of the county. ~~→~~
 17 ~~(2) formulate~~

18 (B) FORMULATE plans and make recommendations for the most
 19 effective economic, social, and physical development of the
 20 county. ~~→ (3) cooperate~~

21 (C) COOPERATE with all departments of the state and federal
 22 governments and other public agencies concerned with programs
 23 ~~directed towards~~ FOR the economic, social, and physical devel-
 24 opment of the county ~~→~~ and seek the maximum coordination of the
 25 county programs of these agencies. ~~→ (4) consult~~

1 (D) CONSULT with representatives of adjacent counties in
2 respect to their planning so that conflicts in ~~over-all~~ OVERALL
3 county plans may be avoided.

4 (3) THE COUNTY PLANNING COMMISSION SHALL CONSULT, IN RESPECT
5 TO ITS PLANNING, WITH BOTH OF THE FOLLOWING:

6 (A) THE PLANNING COMMISSION, OR IF THERE IS NO PLANNING COM-
7 MISSION, THE LEGISLATIVE BODY, OF EACH CITY, VILLAGE, TOWNSHIP,
8 OR COUNTY LOCATED WITHIN OR CONTIGUOUS TO THE COUNTY OF THE CON-
9 SULTING COUNTY PLANNING COMMISSION.

10 (B) THE REGIONAL PLANNING COMMISSION FOR THE REGION IN WHICH
11 THE COUNTY IS LOCATED.

12 (4) The county planning commission may serve as a coordinat-
13 ing agency for all planning committees and commissions within the
14 county.

15 SEC. 4B. (1) A COUNTY PLAN SHALL BE ADOPTED UNDER THE PRO-
16 CEDURES SET FORTH IN THIS SECTION AND SECTION 5. THE PLAN MAY BE
17 ADOPTED AS A WHOLE OR BY SUCCESSIVE PARTS CORRESPONDING WITH
18 MAJOR GEOGRAPHICAL AREAS OF THE COUNTY OR WITH FUNCTIONAL SUBJECT
19 MATTER AREAS OF THE COUNTY PLAN.

20 (2) AFTER PREPARING A PROPOSED PLAN, THE COUNTY PLANNING
21 COMMISSION SHALL SUBMIT THE PROPOSED PLAN TO THE COUNTY BOARD OF
22 COMMISSIONERS FOR REVIEW AND COMMENT.

23 (3) AFTER THE COUNTY BOARD OF COMMISSIONERS REVIEWS AND COM-
24 MENTS ON THE PROPOSED PLAN UNDER SUBSECTION (2), THE COUNTY PLAN-
25 NING COMMISSION SHALL MAIL A COPY OF THE PROPOSED PLAN BY
26 FIRST-CLASS MAIL, FOR REVIEW AND COMMENT, TO BOTH OF THE
27 FOLLOWING:

1 (A) THE PLANNING COMMISSION, OR IF THERE IS NO PLANNING
2 COMMISSION, THE LEGISLATIVE BODY, OF EACH CITY, VILLAGE, TOWN-
3 SHIP, OR COUNTY LOCATED WITHIN OR CONTIGUOUS TO THE COUNTY.

4 (B) THE REGIONAL PLANNING COMMISSION, IF ANY, FOR THE REGION
5 IN WHICH THE COUNTY IS LOCATED.

6 (4) A PLANNING COMMISSION OR LEGISLATIVE BODY DESCRIBED IN
7 SUBSECTION (3)(A) OR (B) MAY SUBMIT WRITTEN COMMENTS ON THE PRO-
8 POSED PLAN TO THE COUNTY PLANNING COMMISSION WITHIN 40 DAYS AFTER
9 THE PROPOSED PLAN WAS MAILED UNDER SUBSECTION (3). THE COMMENTS
10 OF A PLANNING COMMISSION DESCRIBED IN SUBSECTION (3)(A) OR (B)
11 SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, A STATEMENT WHETHER
12 THAT PLANNING COMMISSION CONSIDERS THE PROPOSED COUNTY PLAN TO BE
13 INCONSISTENT WITH THE PLAN, IF ANY, OF THE CITY, VILLAGE, TOWN-
14 SHIP, COUNTY, OR REGION SERVED BY THAT PLANNING COMMISSION.

15 Sec. 5. (1) ~~It shall be the duty of the county planning~~
16 ~~commission to adopt a plan for the development of the county.~~
17 ~~The~~ A county plan with accompanying maps, plats, charts, and
18 descriptive and explanatory matter shall show the COUNTY PLANNING
19 commission's recommendations for the development of the county.
20 ~~The county planning commission may adopt the plan as a whole by~~
21 ~~a single resolution, or may by successive resolutions adopt suc-~~
22 ~~cessive parts of the plan, said parts corresponding to major geo-~~
23 ~~graphical sections of the county or to functional divisions of~~
24 ~~the subject matter of the plan, and may adopt any amendment or~~
25 ~~extension thereof or addition thereto. The adoption of the plan,~~
26 ~~or of any such part, amendment, extension, or addition, shall by~~
27 ~~resolution be carried by the affirmative votes of not less than~~

1 (2) THE COUNTY PLANNING COMMISSION SHALL ADOPT THE PLAN BY A
2 RESOLUTION APPROVED BY a majority of the full membership of the
3 PLANNING commission after ~~duly advertised~~ A public hearing.
4 The resolution shall refer expressly to the maps, plats, charts,
5 and descriptive and explanatory matter intended by the PLANNING
6 commission to form the whole or part of the plan, and the action
7 taken shall be recorded on the maps, plats, charts, and descrip-
8 tive and explanatory matter ~~by the identifying signature of the~~
9 ~~chairman~~ AND SIGNED BY THE CHAIRPERSON of the PLANNING
10 commission.

11 (3) FOLLOWING ADOPTION OF THE PLAN BY THE COUNTY PLANNING
12 COMMISSION, THE COUNTY PLANNING COMMISSION SHALL PROMPTLY MAIL
13 COPIES OF THE PLAN BY FIRST-CLASS MAIL TO EACH PLANNING COMMIS-
14 SION OR LEGISLATIVE BODY THAT WAS ENTITLED TO RECEIVE A COPY OF
15 THE PROPOSED PLAN UNDER SECTION 4B(3).

16 (4) FOLLOWING THE ADOPTION OF THE PLAN BY THE COUNTY PLAN-
17 NING COMMISSION, THE COUNTY PLANNING COMMISSION SHALL ALSO TRANS-
18 MIT A NOTICE OF ADOPTION OF THE PLAN AND A COPY OF THE PLAN TO
19 THE COUNTY BOARD OF COMMISSIONERS.

20 (5) AN EXTENSION, ADDITION, OR OTHER AMENDMENT TO A PLAN
21 SHALL BE ADOPTED UNDER THE SAME PROCEDURE AS A PLAN OR A SUCCES-
22 SIVE PART OF A PLAN UNDER SECTION 4B AND THIS SECTION.

23 (6) Following adoption of the county plan or any part
24 ~~thereof~~ OF A COUNTY PLAN and the certification by the COUNTY
25 PLANNING commission to the county board of ~~supervisors~~
26 COMMISSIONERS of a copy of the ~~county~~ plan, ~~no~~ work shall NOT
27 be initiated on any project involving the expenditure of funds by

1 a county board, department, or agency for the acquisition of
2 land, the erection of structures, the extension, construction, or
3 improvement of any physical facility by any county board,
4 department, or agency unless a full description of the project,
5 INCLUDING, BUT NOT LIMITED TO, its proposed location and extent,
6 ~~thereof shall have~~ HAS been submitted to the county planning
7 commission and the report and advice of the PLANNING commission
8 ~~thereon shall have~~ HAS been received by the county board of
9 ~~supervisors~~ COMMISSIONERS and by the county board, department,
10 or agency submitting the proposal. The requirement for planning
11 commission's review ~~shall be deemed to be~~ IS waived if within
12 30 days after the proposal has been filed with the PLANNING com-
13 mission, the PLANNING commission fails to furnish in writing —
14 its report and advice upon the proposal. ~~Copies of said~~ THE
15 PLANNING COMMISSION SHALL PROVIDE COPIES OF THE report and advice
16 ~~shall be furnished~~ to the county board, department, or agency
17 sponsoring the proposal.

18 (7) ~~Any~~ A COUNTY plan describing the recommended develop-
19 ment of an incorporated area shall not be recognized as THE offi-
20 cial plan or part of the official plan for that area unless
21 adopted by the municipality in the manner prescribed BY LAW OR
22 CHARTER for the adoption of such plans by municipalities. ~~under~~
23 ~~the provisions of the state statutes or the local charter.~~