



Michigan State University Extension

Land Use Series

Check List 1G: For Adoption of a Plan in Michigan

Original version: (December 23, 2010)

last revised: (December 23, 2010)

This is a step-by-step procedure for planning, land use and zoning. This particular checklist (#1G) is for adoption of a plan in Michigan. This checklist is designed to provide a list of steps – in order – which leads to a well-planned and zoned community. This outline is based on Public Act 110 of 2006, as amended, (being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et. seq.*), and recommendations of Kurt H. Schindler, ACIP, and Bradley Neumann, AICP, both of MSU Extension, and intergovernmental coordination and plan content “best planning practices” derived from a proposed Coordinated Planning Act developed by the Michigan Chapter of the American Planning Association. In the check list, most of the items marked “optional” are derived from the proposed Coordinated Planning Act, not the current statute.

There are also separate procedural checklists for performing other zoning and planning functions. They are listed in Appendix B.

The Michigan Planning Enabling Act is a new statute, that changes how various planning procedures are done, and provides new duties and power to many planning commissions in the state. The purpose of this act was to create a single set of procedures to follow regardless of whether planning is being done by a city, village, township, or by a county. After September 1, 2008 (the effective date of the act) only the procedures in the Michigan Planning Enabling Act should be used as the act replaces the following statutes.

Contents

Check List 1G: For Adoption of a Plan in Michigan.....	1
Authors.....	13
Appendix A - Glossary.....	14
Appendix B – Related Publications.....	14

*“Thirty seven million acres is
all the Michigan we will ever have”*

William G. Milliken

This is a checklist was developed by experts on the topic(s) covered within MSU Extension. Its intent and use is to assist Michigan communities making public policy decisions on these issues. This work refers to university-based peer reviewed research, when available and conclusive, and based on the parameters of the law as it relates to the topic(s) in Michigan. This document is written for use in Michigan and is based only on Michigan law and statute. One should not assume the concepts and rules for zoning or other regulation by Michigan municipalities and counties apply in other states. In most cases they do not. This is not original research or a study proposing new findings or conclusions.

Only for matters that took place before September 1, 2008 should these old statutes still be referenced:

- County Planning Act, being P.A. 282 of 1945, as amended, M.C.L. 125.101 et seq. See MSU Extension *Land Use Series*, “Checklist #C1; for Adoption of a County Plan in Michigan.”
- Township Planning Act, being P.A. 168 of 1959, as amended, M.C.L. 125.321 et seq. See MSU Extension *Land Use Series*, “Checklist #T1; for Adoption of a Township Plan in Michigan.”
- P.A. 207 of 1921, as amended, (being the City and Village Zoning Act, M.C.L. 125.581 et seq.) See MSU Extension *Land Use Series* “Checklist # M2; For Adoption of a City and Village Zoning Ordinance in Michigan”.

For any step of this process, the Michigan State University Extension members of the MSU Land Use Team can assist with sample materials; coordinating efforts between the township, county, and the state; and providing guidelines.

This outline is not designed as a substitute for reading and understanding the Michigan Zoning Enabling Act. This outline is not a substitute for legal advice. There is no substitute for hiring an attorney. **Do not** attempt to adopt or amend an ordinance without an attorney.

It is **important** to document each step of the process in planning and zoning a community. Keep detailed minutes, affidavits of publication and mailing, open meeting notices, letters of transmittal, and communications all on file, so years from now they are still available.

This checklist is divided into three columns. The first column has a place to check when the task is done, and a place to check when the documentation has been placed in a permanent file. The second column is the step, or task, to complete in order to adopt a proper plan/zoning ordinance, or amendment to either. The third column is what should be included in a permanent file to document the work that has been done. Sometimes the middle column is further divided into two columns. The heading will indicate which one should be followed in your community’s case. It is always a matter of doing one or the other, never both.

This check list is intended to be linear, with each step being done in order, and most requiring the previous step to be done before starting the next.

Checklist #1G;

This is the step-by-step process for adoption of a plan in Michigan

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 1: The decision is made to:</p> <ul style="list-style-type: none"> ▪ A. Prepare a new plan (see Land Use Series: “Checklist #1H; The Five Year Plan Review”); or ▪ B. Start work on the first plan by a new planning commission (see: Land Use Series, “Checklist #1A; To create a planning commission”); or ▪ C. Start work on a new successive part of the plan (§ 39(1)); or ▪ D. Start work on a subplan (a plan, or part of a plan for a specific geographic area (§ 35 and § 33(4))). 	<p>Copy of the minutes where the decision to start the planning process was made.</p>

Michigan State University Extension Land Use Series

<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 2. The planning commission should start work on the plan by first establishing a system of coordination and communication with other governments (§ 39(2)). In order to do so, a notice shall be sent which (1) shall explain the planning commission intends to prepare a plan (specify what type/part), (2) shall request cooperation and comment on the plan, (3) may state the intent to submit electronically (such as email or on a web site) any information required to be submitted, and (4) if it is a subplan shall indicate if the intent is to provide further notices or not.</p> <p>(Electronic means may be used for notices, submission of comments and draft plans unless the receiver of this notice objects. If an objection is received, then such information shall be submitted in writing by first-class mail or personal delivery (§ 39(3)).)</p> <p>(Further notices concerning subplans do not need to be sent, unless the receiver of this notice objects. If an objection is received, then future notices about the subplan shall be submitted (§ 45(1)(c)).)</p> <p>This first notice shall be sent by first class mail to each of the following:</p> <ul style="list-style-type: none"> ▪ 1. For any plan, the planning commission, or if there is no planning commission, the legislative body, of each city, village, or township located within or contiguous to the planning commission’s local unit of government (§ 39(2)(a)). ▪ 2. If it is a county plan, the regional planning commission for the region in which the county is located (§ 39(2)(b)). ▪ 3. If it is a county plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, of each county contiguous to the planning commission’s local unit of government (§ 39(2)(c)). ▪ 4. If a municipal plan, the county planning commission for the county in which the planning commission’s municipal government is located. If there is not a county planning commission, then the notice is sent to both the County Board of Commissioners and the regional planning commission for the region in which the municipality is located (§ 39(2)(d) and § 39(2)(e)). ▪ 5. For any plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the planning commission’s local unit of government and any government entity, that registers its name and mailing address for this purpose with the planning commission’s local unit of government (§ 39(2)(f)). (Anyone listed in number 5 getting a copy of the plan shall reimburse the planning commission’s local unit of government for any copying and postage costs for obtaining a copy of the plan.) ▪ 6. If the plan is to include a master street plan/element, to the Michigan Department of Transportation and the county road commission for the county in which the planning commission’s local unit of government is located (§ 39(2)(g)). ▪ 7. (Optional) For a municipal plan, the planning commission, or if there is no planning commission, the county board of commissioners, of each county contiguous to the planning commission’s jurisdiction. ▪ 8. (Optional) For any plan, each state, federal, Native American tribe government agencies which own more than 10 acres of land within the planning commission’s local unit of government; school districts; downtown development authorities; tax increment finance authorities; airport authorities; and other special interest groups. <p>This notice might be delayed until after the preliminary studies (step 4) are done if the community wants to consider the “start” of planning taking place after that step, but in any case this notice should be sent out before the start of the plan preparation (step 5).</p>	<p>Copy of the notices, list of who notices were sent to and an affidavit indicating when they were sent.</p>
---	--	---

Michigan State University Extension Land Use Series

Check when task is done	Step, or Task	Copy in the permanent file
	<p>[Step 2, continued]</p> <p>Other means of cooperation can also include joint meetings, or a committee to prepare the plan whose membership includes representatives of all those receiving notices.</p> <p>Best planning practice is that a plan should coordinate the plans of those entities listed in this step to receive notice. A plan should not contravene with the plans of those entities. Thus obtaining and reviewing those plans should also be done. If there are inconsistencies making compliance with each plan difficult, one of the purposes of a county planning commission is to provide guidance as to which plan(s) to follow.</p>	
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 3. Work on drafting a plan should start. Planning should be in cooperation with other jurisdictions deemed to be related to the planning of the local unit of government drafting the plan (§ 31(2)(b)).</p> <p>In cities, villages, and townships formed under the Municipal Planning Act (M.C.L. 125.31 et seq.); a plan can include planning for any areas outside of the planning commission’s local unit of government boundaries (planning jurisdiction) which, in the planning commission’s judgement, bears relation to the planning of the planning commission’s local unit of government. (§ 31(1))</p> <p>The planning commission of all jurisdictions may meet with other governmental planning commissions to deliberate (§ 31(2)(b)).</p> <p>If the plan is for a local unit of government with an adopted zoning ordinance then the plan shall include a “zoning plan” for the various zoning districts (§33(2)(d)). A zoning plan can be a chapter, intermingled throughout the plan, or a separate document. The zoning plan shall include an explanation of how land use categories on the future land use map relate to the districts in the zoning map.</p>	<p>Notes or minutes of joint meetings, or copies of letters.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 4. In preparation of a plan, studies of existing conditions and probable growth should be done for the basis of the plan and in regard for neighboring jurisdictions (§ 31(2)).</p> <p>The planning commission may make use of expert advice and information from federal, state, county, and municipal officials, departments, and agencies having information, maps, and data pertinent to the planning jurisdiction (§ 25(2)).</p>	<p>Copies of studies, documents, and reports leading up to the preparation of the plan. Copy of the review (letters, minutes, other) by county planning, MSUE, or professional planner.</p>

Michigan State University Extension Land Use Series

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 5. A plan shall address land use and infrastructure issues and may project 20 years or more into the future. A plan shall include maps, plats, charts, and descriptive, explanatory, and other related matter and shall show the planning commission's recommendations for the physical development of the planning jurisdiction (§ 33(1)).</p> <p>A plan shall also include those of the following subjects that reasonably can be considered pertinent to the future development of the planning jurisdiction (§ 33(2)):</p> <ul style="list-style-type: none"> ▪ A land use plan that consists in part of a classification and allocation of land for agriculture, residences, commerce, industry, recreation, ways and grounds, public transportation facilities (as of Dec. 23, 2010), public buildings, schools, soil conservation, forests, woodlots, open space, wildlife refuges, and other uses and purposes. If a county has not adopted a zoning ordinance under former 1943 PA 183 or the Michigan Zoning Enabling Act, 2006 PA 110, M.C.L. 125.3101 et seq., a land use plan and program for the county may be a general plan with a generalized future land use map (§ 33(2)(a)). ▪ The general location, character, and extent of streets, railroads, airports, bicycle paths, pedestrian ways, bridges, waterways, and waterfront developments; sanitary sewers and water supply systems; facilities for flood prevention, drainage, pollution prevention, and maintenance of water levels; and public utilities and structures (§ 33(2)(b)). ▪ Recommendations as to the general character, extent, and layout of redevelopment or rehabilitation of blighted areas; and the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of streets, grounds, open spaces, buildings, utilities, or other facilities (§ 33(2)(c)). ▪ For a local unit of government that has adopted a zoning ordinance, a zoning plan for various zoning districts controlling the height, area, bulk, location, and use of buildings and premises. The zoning plan shall include an explanation of how the land use categories on the future land use map relate to the districts on the zoning map (§ 33(2)(d)). ▪ Recommendations for implementing any of the master plan's proposals (§ 33(2)(e)). ▪ If a master plan is, or includes, a master street plan, the means for implementing the master street plan in cooperation with the county road commission and the state transportation department shall be specified in the master street plan in a manner consistent with the respective powers and duties of and any written agreements between these entities and the municipality (§ 33(3)). <p>There are a number of different types of plans which might be prepared. See Land Use Series: "Checklist #1F; What Should be in a Master Plan."</p>	Copy of the plan.
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 6. The planning commission acts to submit the proposed plan to the legislative body for review and comment (§ 41).</p>	Certified copy of the minutes approving the proposed plan which was submitted to the legislative body.

Michigan State University Extension Land Use Series

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 7. The legislative body acts on the proposed plan:</p> <ul style="list-style-type: none"> ▪ A. Approving distribution of the proposed plan. If approved, the governing body notifies the secretary of the planning commission (§ 41(2)). Then go to Step 8. ▪ B. Does not approve distribution. The process of adopting the plan stops (§ 41(1)). Go back to Step 5. <p>At this point, if not already done, the legislative body may consider adopting, or not adopting, a resolution which asserts the right of the legislative body to approve or reject the plan in steps 16 and 17 (§ 43(3)). (The resolution which asserts the right of adoption can take place at any time. For a given plan, this is the step where the plan is before the legislative body, and such a resolution could be considered.)</p>	<p>Certified copy of the legislative body minutes approving distribution of the proposed plan.</p> <p>If adopted, a certified copy of the legislative body's minutes adopting the resolution which asserts the right of the legislative body to adopt the plan and/or amendments.</p>

Michigan State University Extension Land Use Series

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 8. The secretary of the planning commission shall submit (§ 39(3)) a proposed copy of the plan for review and comment to (Unless it is a subplan that did not receive objections to a statement of intent not to send out further notices (§ 45(1)(c), see step 2.):</p> <ul style="list-style-type: none"> ▪ 1. For any plan, the planning commission, or if there is no planning commission, the legislative body, of each city, village, or township located within or contiguous to the planning commission's local unit of government (§ 41(2)(a)). ▪ 2. If it is a county plan, the regional planning commission for the region in which the county is located (§ 41(2)(b)). ▪ 3. If it is a county plan the county planning commission, or if there is no county planning commission, the county board of commissioners, of each county contiguous to the planning commission's local unit of government (§ 41(2)(c)). ▪ 4. If a municipal plan, the county planning commission for the county in which the planning commission's municipal government is located. If there is no county planning commission, then the notice is sent to both the County Board of Commissioners and the regional planning commission for the region in which the municipality is located (§ 41(2)(d) and § 41(2)(e)). ▪ 5. For any plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the planning commission's local unit of government and any government entity, that registers its name and mailing address for this purpose with the planning commission's local unit of government (§ 41(2)(f)). (Anyone listed in number 5 getting a copy of the plan shall reimburse the planning commission's local unit of government for any copying and postage costs for obtaining a copy of the plan.) ▪ 6. If the plan is to include a master street plan/element, to the Michigan Department of Transportation and the county road commission for the county in which the planning commission's local unit of government is located (§ 41(2)(g)). ▪ 7. (Optional) For a municipal plan, the planning commission, or if there is no planning commission, the county board of commissioners, of each county contiguous to the planning commission's local unit of government. ▪ 8. (Optional) For any plan, each state, federal, Native American tribe government agencies which own more than 10 acres of land within the planning commission's local unit of government; school districts; downtown development authorities; tax increment finance authorities; airport authorities; and other special interest groups. <p>(Notice of the hearing (step 12) may be included with this submission (§ 43(1)).)</p> <p>At the same time as the above number 4, the secretary of a municipal planning commission shall also submit (§ 39(3)) a signed statement:</p> <ul style="list-style-type: none"> ▪ To the county planning commission, that number 1, above, has been done; ▪ If there is not a county planning commission that numbers 1 and 4 have been done. <p>The statement shall include the name and address of each planning commission or legislative body to which a copy of the proposed plan was submitted and the date of submittal (§ 41(2)(e)).</p>	<p>Copy of the submission of the proposed plan, list of who submission was sent to and an affidavit indicating when they were sent.</p> <p>Copy of the statement submitted to the County Planning Commission/ County Board verifying and listing submissions.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 9. Those local units of governments, regional planning commissions, public utility companies, and railroads receiving the plan in step 8 have up to 63 days to submit comments on the proposed plan. Those planning review comments, or submissions, shall be sent to the planning commission which prepared the plan being reviewed (§ 41(3)).</p>	<p>Copy of each comment submitted.</p>

Michigan State University Extension Land Use Series

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 10. The county planning commission (or county board of commissioners if there is no county planning commission) shall submit comments to the planning commission within 63 days of step 8. The comments shall include, but are not be limited to the following, as applicable (§ 41(3)):</p> <ul style="list-style-type: none"> ▪ A statement indicating if the county planning commission considers the proposed plan inconsistent with the plan of any city, village, township, or region that received a copy of the plan in step 10 (§ 41(3)(a)). ▪ If the county has a county plan, a statement whether the county planning commission considers the proposed plan to be inconsistent with the county plan (§ 41(3)(b)). <p>The county's comments are advisory only (§ 41(4)).</p>	<p>Copy of each comment submitted.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP II. (Optional) The planning commission prepares a response to the comments received at the end of the 63 days which:</p> <ul style="list-style-type: none"> ▪ Changes the proposed plan as a result of the comment submitted, ▪ Prepares a preponderance of reasons why the proposed plan should not be changed as a result of the comment submitted. 	<p>Copy of the changes to the proposed plan or reasons why it is not changed, possibly placed in an appendix of the plan.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 12. The planning commission, by resolution adopted by majority vote, acts to hold a public comment period and then a hearing on the plan. The hearing on the plan must occur 63 days after step 8 is done and after steps 9 and 10 are completed (§ 43(1)). Notice for the hearing shall require:</p> <ul style="list-style-type: none"> ▪ Publishing a notice of the hearing in a newspaper of general circulation in the local unit of government. The notice is printed not less than 15 days before the hearing by 1 publication in the newspaper and in the official gazette, if any, of the municipality (§ 43(1)). ▪ Sending a copy of the notice to each of those entities listed in Step 8 (§ 43(1)) (each city, village, or township located within or contiguous to the city or village; county the city or village is within; regional planning commission; each contiguous county; each public utility company and railroad company). Unless it is a subplan that did not receive objections to a statement of intent not to send out further notices (§ 45(1)(c)), see step 2. ▪ (Optional) Send a copy of the notice to each state, federal, Native American tribe governments and agencies which own more than 10 acres of land within the planning commission's local unit of government; ▪ (Optional) Additional publicity to whomever and in whatever forms desired. <p>Notices should include the place (such as a local library, and on an Internet site) and times people can borrow, read, or copy the proposed plan; where to mail comments; and where and when the hearing will be held.</p>	<p>Certified copy of the resolution.</p> <p>Copy of the notices, list of who notices were sent to and an affidavit indicating when they were sent.</p> <p>Newspaper affidavits of publication.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 13. The planning commission holds a formal hearing on the plan (§ 43(1)) more than 63 days after step 8.</p>	<p>Copy of minutes of the hearing.</p>

Michigan State University Extension Land Use Series

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 14. (Optional) The planning commission prepares a response to the comments received at the public hearing which:</p> <ul style="list-style-type: none"> ▪ Changes the proposed plan as a result of the comments made at the hearing, ▪ Prepares a preponderance of reasons why the proposed plan should not be changed as a result of the comment made at the hearing. 	<p>Copy of the changes to the proposed plan or reasons why it is not changed, possibly placed in an appendix of the plan.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 15. The planning commission, by resolution, votes to adopt the plan. For the plan to be adopted (§ 43(2)):</p> <ul style="list-style-type: none"> ▪ A city or village planning commission resolution of plan adoption must have $\frac{2}{3}$ vote in favor. ▪ A township or county planning commission resolution of plan adoption must have a majority of the entire membership vote in favor. <p>The resolution shall refer expressly to the maps and descriptive and other matter intended by the planning commission to form the whole or part of the plan. The action taken shall be recorded on the map and plan and descriptive matter and signed by the chairperson or the secretary of the planning commission. A copy of the resolution of adoption shall be reproduced on the plan's inside front cover or inside of the plan's back cover and on any plan maps. (§ 43(2)).</p> <p>On the date of adopting the above resolution, if the legislative body did not adopt a resolution to assert its right to approve or reject the plan (step 7), then skip to step 18. If the legislative body did adopt such a resolution, go to step 16.</p>	<p>Certified copy of minutes where vote is made to adopt the resolution.</p> <p>A copy of the resolution of adoption should be reproduced on the plan's inside front cover and on any plan maps.</p> <p>Copy of the plan.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 16. The planning commission secretary shall submit the plan to the legislative body (§ 43(2)).</p>	<p>Certified copy of Planning Commission minutes referring the plan to the legislative body.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 17. If the legislative body adopted a resolution to assert its right to approve or reject the plan (step 7) before step 15 was done, the legislative body acts on the plan (§ 43(3)):</p> <ul style="list-style-type: none"> ▪ Rejecting the plan and submitting to the planning commission a statement of objections. The planning commission shall consider the objections and revise the plan to address the objections, then go to step 12. ▪ Approves the Plan (Go to step 18.) <p>If adopted, a copy of the resolution of adoption shall be reproduced on the amended plan's inside front cover or inside of the plan's back cover and on any amended plan maps. (§ 43(2)).</p>	<p>Certified copy of City or legislative body minutes of when adoption took place.</p>

Michigan State University Extension Land Use Series

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 18. After adoption of the plan the secretary of the planning commission sends (§ 39(3)) a copy of the adopted plan to the following (§ 43(5)). (Unless it is a subplan that did not receive objections to a statement of intent not to send out further notices (§ 45(1)(c), see step 2.):</p> <ul style="list-style-type: none"> ▪ 1. The legislative body and/or the clerk of the local unit of government, and in the case of a county a certified copy of the plan to the County Board. ▪ 2. For any plan, the planning commission, or if there is no planning commission, the legislative body, of each city, village, or township located within or contiguous to the planning commission's local unit of government (§ 41(2)(a)). ▪ 3. If it is a county plan, the regional planning commission for the region in which the county is located (§ 41(2)(b)). ▪ 4. If it is a county plan the county planning commission, or if there is no county planning commission, the county board of commissioners, of each county contiguous to the planning commission's local unit of government (§ 41(2)(c)). ▪ 5. If a municipal plan, the county planning commission for the county in which the planning commission's municipal government is located. If there is not a county planning commission, then the notice is sent to both the County Board of Commissioners and regional planning commission for the region in which the municipality is located (§ 41(2)(d) and § 41(2)(e)). ▪ 6. For any plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the planning commission's local unit of government and any government entity, that registers its name and mailing address for this purpose with the planning commission's local unit of government (§ 41(2)(f)). (Anyone listed in number 6 getting a copy of the plan shall reimburse the planning commission's local unit of government for any copying and postage costs for obtaining a copy of the plan.) ▪ 7. If the plan is to include a master street plan/element, to the Michigan Department of Transportation and the county road commission for the county in which the planning commission's local unit of government is located (§ 41(2)(g)). ▪ 8. (Optional) For a municipal plan, the planning commission, or if there is no planning commission, the county board of commissioners, of each county contiguous to the planning commission's local unit of government. ▪ 9. (Optional) For any plan, each state, federal, Native American tribe government agencies which own more than 10 acres of land within the planning commission's jurisdiction; school districts; downtown development authorities; tax increment finance authorities; airport authorities; and other special interest groups. ▪ 10. (Optional) Library of Michigan, Michigan State University Library, and all libraries which are in or near the local unit of government. ▪ 11. Others. 	Copy of the adopted plan.
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 19. (Optional) If a county plan covers incorporated areas (city or village) within the county, the county plan may be adopted by the city or village by following the same steps as found in this checklist (§ 47(1)). If that is done, then the county plan can serve as the city or village plan.</p> <p>A county plan is automatically part of a city or village plan if the city or village is subject to county zoning through an urban cooperation act agreement for having county zoning in the city or village (§ 47(2)).</p>	Copy of the respective municipal legislative body's minutes.

Michigan State University Extension Land Use Series

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done	<p>STEP 20. Implementation of the Plan:</p> <ul style="list-style-type: none"> ▪ 1. Coordination/Cooperation: <ul style="list-style-type: none"> ▪ A. The planning commission can promote the plan, publish copies, summaries, and distribute information on the plan (§ 51(1)) ▪ B. The planning commission shall consult and advise public officials, agencies, public utilities, civic, educational, professional, and other organizations concerning promotion and implementation of the plan (§ 51(2)); ▪ C. If the planning commission is a county planning commission, request and keep copies of all zoning ordinances adopted in the county (§ 69); ▪ D. Submitting comment during a 63 day period (42 days for amendments) of proposed plans for local units of governments located within or contiguous to the planning commission's local unit of government (§ 41(3)). ▪ 2. Infrastructure: <ul style="list-style-type: none"> ▪ A. proceeding to write and adopt a capital improvements program (new upgrading roads, parks, sewer, water drainage, buildings, etc.) (§ 65 - § 67); ▪ B. Infrastructure review (§ 61(1), § 61(2), and § 63). A street; square, park, playground, public way, ground, or other open space; or public building or other structure shall not be constructed or authorized for construction in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body or other body having jurisdiction over the authorization or financing of the project and has been approved by the planning commission. The planning commission shall submit its reasons for approval or disapproval to the body having jurisdiction. If the planning commission disapproves, the body having jurisdiction may overrule the planning commission: <ul style="list-style-type: none"> ▪ i. For a township that on the enactment date of this act had a planning commission created under former PA 285 of 1931 or for a city or village; by a vote of not less than 2/3 of its entire membership. ▪ ii. For any other township; by a vote of not less than a majority of its membership. ▪ iii. For a county; unspecified.. <p>If the planning commission fails to act within 35 days after submission of the proposal to the planning commission, the project shall be considered to be approved by the planning commission.</p> ▪ 3. Taxation: <ul style="list-style-type: none"> ▪ A. proceeding to write and adopt various tax incentive policies, ▪ B. Other: neighborhood improvement program, blighted area rehabilitation program, economic development corporations, plant rehabilitation and industrial development programs, commercial redevelopment act and brownfield redevelopment and so on. ▪ 4. Police Powers: <ul style="list-style-type: none"> ▪ A. proceeding to write and adopt a subdivision control ordinance/rules (§ 71), ▪ B. proceeding to write and adopt a zoning ordinance (see <i>Land Use Series</i>, "Checklist #2; for Adoption of a Zoning Ordinance in Michigan."), or amend existing zoning ordinances (see <i>Land Use Series</i>, "Checklist #4; for Adoption of a Zoning Ordinance Amendment (Including PUD) in Michigan"). 	
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>STEP 21. At least every five years after adoption of the plan the planning commission shall review the plan and determine whether to amend the plan, prepare a new plan, or consider the existing plan still valid as is (§ 45(2)). (See <i>Land Use Series</i>: "Checklist #1H; The Five Year Plan Review.")</p>	Certified copy of Planning Commission minutes showing the motion.

Authors

This publication was developed in collaboration by:

- Kurt H. Schindler, AICP, Distinguished Senior Educator Emeritus, Government and Public Policy, Michigan State University

Reviewed by:

- Jason Ball, MSU Graduate Student
- Brad Neumann, Senior Educator, Government and Public Policy, Michigan State University
- Jasneet Sharma, Educator, Land Use.
- Lincoln Sweet, MSU Graduate Student

To find contact information for authors or other MSU Extension experts use this web page:

<http://msue.anr.msu.edu/experts>.

MSU is an affirmative-action, equal-opportunity employer, committed to achieving excellence through a diverse workforce and inclusive culture that encourages all people to reach their full potential. Michigan State University Extension programs and materials are open to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status. Issued in furtherance of MSU Extension work, acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture. Jeffrey W. Dwyer, Director, MSU Extension, East Lansing, MI 48824. This information is for educational purposes only. Reference to commercial products or trade names does not imply endorsement by MSU Extension or bias against those not mentioned. The name 4-H and the emblem consisting of a four-leaf clover with stem and the H on each leaflet are protected under Title 18 USC 707.

Appendix A - Glossary

The following terms are used in this publication, and have the following specific meanings.

§ means the section number of Public Act 110 of 2006, as amended, (being the Michigan Zoning Enabling Act, M.C.L. 125.3101 et. seq.),

Chief administrative official means the manager or other highest nonelected administrative official of a city or village.

Chief elected official means the mayor of a city, president of a village, supervisor of a township, or chair of a county board of commissioners.

Ex officio member means a member of a planning commission, with full voting rights unless otherwise specified by city or village charter, by virtue of holding another office.

Legislative Body means the county board of commissioners of a county, the board of trustees of a township, the council of a city or village, or other similar duly elected representative body of a county, township, city, or village.

Local Unit of Government means a county, township, city, or village.

Municipality means a city, village or township.

Plan means any plan adopted under the Michigan Planning Enabling Act or one of the three former planning acts, regardless of what it is titled.

Planning Commission means the local unit of government planning commission created under the Michigan Planning Enabling Act or one of the three former planning acts, regardless of what it is titled. In a few communities it may still be a “zoning board” (townships) or “zoning commission” (city and villages). Has used here, the use of the term “planning commission” includes all of these terms.

Zoning jurisdiction means the area encompassed by one of the following:

- legal boundaries of a city or village for a city or village respectively;
- legal boundaries of a township outside the limits of a city(ies) and village(s) for a township;
- legal boundaries of a county outside the limits of a city(ies) and village(s); or the county including any city(ies) and village(s) which has adopted the county plan (See §209, M.C.L. 125.3209).

Appendix B – Related Publications

There are also separate procedural checklists for performing other planning and zoning functions. They are:

- *Land Use Series*: “Check List #1A; To Create a Planning Commission or Amend an Existing Planning Commission Ordinance.”
- *Land Use Series*: “#1B; Sample Ordinance to create a planning commission”
- *Land Use Series*: “#1C; Summary of changes between new Michigan Planning Enabling Act and the three old planning acts: Municipal Planning Act, County Planning Act, and Township Planning Act.”
- *Land Use Series*: “Checklist #1D; Steps to Transition an Existing Planning Commission to Comply with the Michigan Planning Enabling Act”

- *Land Use Series*: “#1E; Sample Bylaws for a planning commission.”
- *Land Use Series*: “Checklist #1F; What Should be in a Master Plan”
- *Land Use Series*: “Checklist #1G; For Adoption of a Plan in Michigan”
- *Land Use Series*: “Checklist #1H; The Five Year Plan Review.”
- *Land Use Series*: “Checklist #1I; For Adoption of an Amendment to a Plan”
- *Land Use Series*: “Checklist #1J; Adopting and Updating a Capital Improvement Program”
- *Land Use Series*: “Checklist #1K; Review of Infrastructure and Public Capital Expenditure”
- *Land Use Series*: “Checklist #1L; Adoption or Amendment of Subdivision Rules”
- *Land Use Series*: “#1M; How Governments Make Submissions on a Neighbor’s or County’s Proposed Plan”
- *Land Use Series*: “#1N; How a Planning Commission Should Respond to Submissions”
- *Land Use Series*: “#1O; Sample joint Planning Commission Ordinance and Agreement”
- *Land Use Series*, “Checklist #2; for Adoption of a Zoning Ordinance in Michigan.”
- *Land Use Series*, “Checklist #3; for Adoption of an Interim Zoning Ordinance in Michigan.”
- *Land Use Series*, “Checklist #4; for Adoption of a Zoning Ordinance Amendment (Including PUD) in Michigan”
- *Land Use Series*, “Checklist #5: for Processing a Special Use Permit (Including PUD) Application in Michigan.”
- *Land Use Series*, “Checklist #6: for Processing a Zoning Appeal and Variance in Michigan.”
- *Land Use Series*, “#7: Sample Zoning Board of Appeals Rules of Procedure”
- *Land Use Series*, “#8: Sample Planning Commission and Zoning Board of Appeals Code of Conduct”

All of these are available at www.msue.msu.edu/lu/.