

The following is a brief summary of the impact of PA 33 of 2008, the Michigan Planning Enabling Act. Communities should consult with their own legal counsel and Planning staff or consultant prior to action on any amendments to address the changes required by this Act. The Act takes effect on September 1, 2008, and there are specific provisions in the Act that address the transition time between now and September 1.



Topic	New Planning Enabling Act Provision	Existing Township Planning Act Provision	Existing Municipal Planning Act Provision
Planning Commission Membership Number of Members	5, 7 or 9 Members	5 to 9 Members	9 Members, except 5, 7 or 9 Members in cities and villages with less than 5,000 pop.
Planning Commission Membership Members from Legislative Body or Administration	For townships, one member shall be from the legislative body (may be from the legislative body if P.C. was formed under Township Planning Act). For cities and villages, the chief administrative official or a person designated by the chief administrative official, if any, the chief elected official, one (1) or more members of the legislative body, or any combination thereof, may be appointed to the planning commission, as ex officio members, unless prohibited by charter; provided the ex-officio members shall not make up more than 1/3 of the membership.	One member of the township board shall be a member of the planning commission.	Several options exists, including other boards. The planning commission may consist of the mayor, one administrative official and one member of the legislative body and 6 other persons. The planning commission may also consist of 9 members 1 of whom shall be a member of the legislative body.
Planning Commission Membership Qualified Electors	All members shall be qualified electors except: •One (1) member may not be a qualified elector in all local units of government other than those exceptions below. •Two (2) members may not be qualified electors in a city or village that has a population of less than 5,000, except as provided below. •Three (3) members may not be qualified electors in a city with a population of more than 2,700 but less than 2,800.	All members shall be qualified electors and property owners of the township. (Note: property owner issue as been addressed by an Attorney General's opinion).	The term "qualified electors" does not appear in the Act.

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Planning Commission Required Number of Meetings Per Year	Four (4) times per year	Four (4) times per year	Once per month
Planning Commission Annual Report	The Planning Commission shall prepare an annual report to the legislative body, including recommendations regarding actions by the legislative body related to planning and development.	Annual report required	Annual report not specified in Act.
Zoning Plan Element in Master Plan	For a unit of government with an adopted zoning ordinance, the master plan shall include a <i>zoning plan</i> , including an explanation of how the land use categories on the future land use map relate to the districts on the zoning map	Requirement for <i>zoning plan</i> not specified.	A <i>zoning plan</i> is required, but explanation of how categories relate to zoning districts not required.
Master Street Plan	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 MDOT shall be specified.	The term “master street plan” is not included in the Act.	The term “master street plan” is not included in the Act.
Sub-Area Plans	Specifically authorized in Act. Site plan compliance language in Township Planning Act not included in new Act.	Specifically authorized in Act. Site plans submitted within area shall comply with the plan.	Sub-Area Plans are not specifically authorized.
Master Plan Adoption	Recent amendments regarding coordination with surrounding communities and county still apply. A new provision requires county road commission and MDOT to receive notices & draft if document includes a master street plan.	Master street plans are not specifically authorized.	Master street plans are not specifically authorized.

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Master Plan Adoption (continued)	<p>Electronic submissions of drafts may be made to adjacent communities and others unless they object to electronic distribution. Electronic distribution may include link to website.</p> <p>Public Hearing - Adjacent communities and other reviewing agencies must receive notice of the master plan public hearing.</p> <p>Resolution of Adoption - When adopting a master plan, a resolution of adoption is required, and it shall refer expressly to the maps and descriptive matter of the master plan. A statement recording the planning commission's approval of the master plan, signed by the chairperson or secretary of the planning commission (and signed by the clerk if the governing body also approves the plan), shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document, on the future land use map as well.</p>	<p>Electronic distribution of drafts to adjacent communities and others allowed if other review agency grants permission. Link to website not specifically authorized.</p> <p>No specific requirement to notify adjacent communities and other reviewing agencies of public hearing.</p> <p>No specific requirement to include a resolution of adoption. No specific requirement for signatures.</p>	<p>Electronic distribution of drafts to adjacent communities and others allowed if other review agency grants permission. Link to website not specifically authorized.</p> <p>Adjacent communities and other reviewing agencies must receive notice of the master plan public hearing.</p> <p>Resolution of adoption required. The action taken shall be recorded on the map and plan and descriptive matter and signed by the chairperson or recording secretary.</p>
Plats	A plat approved by a municipality and recorded under section 172 of the land division act shall be considered to be an amendment to the master plan and a part thereof.	No specific language that an approved plat is considered to be an amendment to the master plan.	Every plat approved by the commission shall, by virtue of such approval, be deemed to be an amendment of or an addition to or a detail of the municipal plan and a part thereof.

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Plats (continued)	If a municipality has adopted a master plan or master street plan, the planning commission shall review and make recommendations on plats before action by the legislative body. A public hearing is required. A plat submitted to the planning commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days notice of the hearing is required by mail to the proprietor or applicant (see above) and notice shall be published in a newspaper of general circulation. Similar notice shall be mailed to the owners of adjoining land.	The township board shall refer plats or other matters relating to land development to the planning commission before final action thereon by the township board. No specific requirement for a public hearing is included.	Whenever planning commission shall have adopted that sort of a master plan relating to the major street system and shall have filed a certified copy of such plan in the office of the county register of deeds, then no plat of a subdivision of land within such territory or part shall be filed or recorded until it shall have been approved by such planning commission. No specific public hearing requirement.
Subdivision Regulations	A planning commission may recommend to the legislative body provisions of an ordinance or rules governing the subdivision of land authorized by the land division act. Before recommending an ordinance, the planning commission shall hold a public hearing. The planning commission shall give notice of the time and place of the public hearing not less than 15 days by publication in a local newspaper.	The Township Board may request the planning commission to recommend regulations governing the subdivision of land. No specific requirement for a public hearing is included.	The planning commission shall adopt regulations governing the subdivision of land. All such regulations shall be published and a public hearing shall be held. A copy shall be certified to the county. Although not specified in the Act, subdivision regulations shall be adopted by the governing body.
Capital Improvements Program	After adoption of master plan, the P.C. shall annually prepare a 6-year capital improvements program. Not mandatory in a township unless it operates a water supply or sewage system.	A township may adopt a capital improvements program.	The Planning Commission shall annually prepare a 6-year capital improvements program.