

Master Plan—Mastering the Updating Process

Introduction

The Michigan Legislature amended the Municipal Planning Act in 2002 to revise the legal processes necessary to adopt a new or amended master plan. Sometimes referred to as “The Coordinated Planning Act,” the amendment greatly expanded the notification process and the degree of involvement of the governing body. In 2008, the Legislature combined the county, township, and city and village planning Acts into one Act: the Michigan Planning Enabling Act. This Act retained the coordinated planning requirements of 2002. Municipalities wishing to begin work on a new master plan, or amend an existing plan, must follow this process.

Preplanning

Notice to Plan

Municipalities beginning the planning process to adopt a new or amend an existing master plan must first send a notice by first class mail to the planning commissions of every township, village, or city located within or contiguous to the city or village and to the county planning commission. If an adjoining community has no planning commission, the notice goes to the legislative body. If there is no county planning commission, then notice must go to the regional planning commission for its comments. The same notice must also be sent to each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that *registers* its name and mailing address for this purpose with the planning commission. The notice of intent to plan should state that the municipality is beginning a planning process and request cooperation and comments from adjacent communities. This would also present an opportunity for the municipality to request the planning and zoning documents from those communities to assist in its planning process. Notices may be sent electronically unless the receiver objects. MCL 125.3839

The Planning Process

The MPEA requires that a master plan address land use and infrastructure issues and 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. The planning commission is still given the authority to write the plan, but the adoption process has changed to involve the municipality’s governing board. Accordingly, planning commissions should seriously consider actively involving the board in the planning process. MCL 125.3833

Plan Review

Distribution of the Plan

Once the plan has been drafted, it must be submitted to the governing body for its review and comment. If the council is in favor of the plan, it may then approve the plan for distribution. If the council does not approve the plan for distribution, it should note its objections to the planning commission. Should the commission disagree with the board’s position on the plan, the two bodies must work to resolve those differences. Otherwise, the planning process is stopped in its tracks and the proposed plan can proceed no further. If there are no disagreements, or those disagreements are worked out, the council can approve the plan for distribution. This permits the plan to be sent to the same list that received the notice of intent to plan. The plan may be sent electronically unless the receiver objects.

External Review and Comment

Those receiving the plan have 63 days to submit their comments to the city or village. All reviews and comments are advisory and need not be considered or included by the village or city. However, the municipality may benefit considerably from these reviews and therefore should take advantage of having “other sets of eyes” review the plan.

Public Hearing and Adoption

Public Hearing

Only after the review comment period has expired can the municipality conduct its required public hearing. Notice of the hearing must be published in a newspaper of general circulation in the municipality not less than 15 days before the hearing. The planning commission shall also submit notice to each entity receiving the notice of intent to plan.

Adoption

After the public hearing, one of two actions may follow. The options depend on whether or not the council has passed a resolution asserting its right to be the adopting authority for the plan. If such a resolution has not been adopted, the planning commission may adopt the plan with a majority vote. For example, if the planning commission has seven members, at least four votes are needed to adopt the plan. Should only four commissioners be present to vote on the plan, all four must vote to adopt.

After adoption, the secretary of the planning commission submits the proposed plan to the governing board for the municipality and the adoption process is complete.

If, however, the governing board for the municipality has passed the resolution to become the adopting authority for the plan, the planning commission, rather than adopting the plan, will vote to “recommend” adoption to the council. The council may then vote to adopt the plan by a majority vote (no specific vote requirement is noted in the Act, but each community should check its charter for majority requirements).

If, however, the council does not approve of the substance of the plan, it is required to send to the planning commission a “statement of objections.” The planning commission must consider these objections and revise the plan to address them. If the objections are significant, a joint meeting would be useful to help resolve the issues. If the issues are never resolved, and the council refuses to adopt the plan, the plan is effectively dead. Unlike the zoning ordinance adoption procedure, the council has no independent authority to make any change to the plan.

After Adoption

Once adopted, the plan goes into effect immediately. Copies must be sent to the same list of communities and agencies that received the draft plan.

The Act includes a requirement that at least every five years the municipality reviews its current plan and determines whether any amendments are needed, or if the process for a new plan should be started. This review may be documented through the minutes of the meeting. It is suggested that the village or city council be invited to participate in this review. See Fact Sheet: Master Plan—Five-Year Review.

After the review, if the municipality determines that no changes are necessary, the planning commission should document that decision in its minutes. No notices or other procedures are necessary if no changes are to be made.

The following checklist may be used to chart the progress of the planning process to ensure that all the required procedures are followed.

CHECKLIST - MASTER PLAN			
Step 1	Notice to Plan		
Date Notice to Plan sent to	Communities		
	Agencies		
	County		
	Public utilities/Railroads		
Step 2	Approval of Distribution		
Date of submission to city/village council			
Date city/village council approves distribution			
Step 3	Distribution of the Draft Plan		
Date draft plan sent to...	Communities		
	Agencies		
	County		
	Public utilities/Railroads		
Step 4	Comment Period		
Date review comments received	Communities		
	Agencies		
	County		
	Public utilities/Railroads		
	Step 5	Public Hearing	
	Date notice of public hearing sent to...	Communities	
Agencies			
County			
Public utilities/Railroads			
Date of publication in newspaper (15 days prior to hearing)			
Step 6	Approvals		
Planning commission adoption date (if city/village council has not elected to be the adopting body for the plan)			
If city/village council has passed a Resolution to become the adopting body for the plan	Date of planning commission recommendation		
	Date of city/village council adoption		
Step 7	After Adoption		
Date adopted plan sent to...	Communities		
	Agencies		
	County		
	Public utilities/Railroads		