#### Foreword

#### Introduction

This 2008 edition of **Michigan Laws Relating to Planning** continues a rather long tradition. This publication has been a staple in the library of municipal planners, planning commissioners, planning consultants, zoning administrators, local government managers, and municipal attorneys. It is a handy reference for quickly looking up an entire statute or relevant excerpt, and it serves to preserve the language of the law at a particular point in time, which makes it a useful reference to chart how the law changes over time. This edition reflects Michigan law between October and December 2008.

While the State Planning Commission (which existed between 1933 and 1947) published a short document with a half dozen local planning and zoning laws in the late 1930s and again in early 1940s, the first formal book under the title **Michigan Laws Relating to Planning** that I was able to find, was published in 1949 (I received a copy from a retiring MSU professor nearly 20 years ago). The oldest book by this title listed in both the catalogs of the State of Michigan Library and the Michigan State University Library was published in 1959. Both libraries list books by the same title in 1968, 1969, 1970, 1975, 1982, 1989 and 1998. If the 1949 publication was the first, then this is the 10<sup>th</sup> "edition." I have labeled it as such and hope that my research is correct.

The first five editions from 1949 through 1970 were published by various departments of state government, including the Department of Economic Development (first), the Sec. of State (second), and the Office of Planning Coordination, Ex. Office of the Governor (next three). The next five were published through various institutes at Michigan State University: the 1975 edition by the Institute for Community Development, and the 1982, 1989 and 1998 editions by Community Development Programs. This edition comes to you from the Planning & Zoning Center at Michigan State University, a center within the MSU Land Policy Institute.

The 1949 edition had a few economic development laws in addition to planning and zoning laws, short "digests" of many statutes, and a comprehensive listing of other laws relating to planning. Subsequent volumes dropped the digests and by 1991, economic development laws had become so numerous, that a separate volume called **Michigan Laws Relating to Economic Development and Housing** was produced. We are publishing the 2<sup>nd</sup> "edition" of that book as a companion to this one.

Except for the three volumes of **Michigan Laws Relating to Planning** published in 1968, 1969 and 1970 which had minor changes from one another, each "edition" has been longer than the last and organized somewhat differently, depending on the editor. This issue is no exception. It is 765 pages and that is 59 pages longer than the ninth edition published in 1998. But that is misleading, since for the first time, this edition also includes a CD with 2975 pages of laws related to planning. Two versions were prepared this time, because a 2975 page book is too large to easily carry around. Of course, that meant some decisions had to be made about what laws to include in the new printed version. This 10<sup>th</sup> edition only includes those laws which (in the editor's opinion) are most frequently referenced in the day-to-day practice of community planning in Michigan. To guide that decision, it includes nearly all the laws in the 1982, 1989 and 1998 editions (updated of course, and there are some exclusions due to repealed or replaced statutes).

To some degree a published book of laws on any topic is an anachronism today, as up-to-date versions of all Michigan laws are quickly available to anyone with internet access at <u>www.michiganlegislature.org</u> or <u>www.legislature.mi.gov</u>. However, for many reasons, internet access is not always available, and having a printed copy in hand is nearly indispensible for at least five years. Then enough statutory changes have usually occurred to make it necessary to issue a new edition. I have held off compiling this edition for three years, waiting until the legislature adopted the Michigan Planning Enabling Act. That is one of the reasons it has been ten years since the last edition.

#### Contents

This edition has laws organized into many more categories than prior editions. Hopefully this will make them easier to find. It also restores many laws related to natural resources and the environment which were omitted from the last edition.

There are two tables of contents. The one in the front lists the contents of this book. The one in the back lists the contents of the CD. The CD version of the laws is in MS Word and PDF formats. Both the printed and CD versions have the added benefit of dozens of statutes that have been law for several decades that refer to the local master plan or local zoning ordinance, but were not in previous editions. Many planners will find "new laws" in Section VI on the CD which addresses "Specific Lands and Land Uses." Both versions also have four important new statutes of note: They are the Joint Municipal Planning Act of 2003 (as amended), the codified Michigan Zoning Enabling Act (initially passed in 2006 and amended in 2008 which repealed three separate zoning acts), and the codified Michigan Planning Enabling Act of 2008 (which also

repealed three separate planning acts). A part of a fourth new statute that brings us Wind Energy Resource Zones is excerpted. Many statutes are represented only by relevant excerpts; so be sure to look up the full statute if you find something of interest.

#### Essentials

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Prior editions of **Michigan Laws Relating to Planning** have been published with similar caveats.

#### Thanks

As with any publication of this scope, there are many to whom I owe my thanks.

First, thanks go to the patient purchasers of this volume. I had not expected this task to take so long (nor for the publication to grow so long). The mechanics are much more complicated than one would imagine, given that all the text already started out in digital form.

Second, three of my graduate students in the MSU Urban and Regional Planning Program spent a considerable amount of time working on this publication (including all the "fun" work, like proofing), they are Sheila Moore, Lincoln Sweet and Jason Ball. In addition, MSU Regional Land Use Educators, Kurt Schindler and Mary Ann Heidemann played a valuable role in helping identify statutes that should be included in this edition.

Third, my executive secretary, Lin Leslie, exercised the requisite care necessary to ensure accuracy while downloading and converting text, formatting, obtaining quotations from printers, coordinating all the mechanics of production, and handling all sales.

Fourth, Dr. Soji Adelaja, the genius and founder of the MSU Land Policy Institute, whose vision allowed the re-creation of the Planning & Zoning Center at MSU.

Of course all content decisions and errors are my responsibility.

Mark A. Wyckoff, FAICP, Editor of the 10<sup>th</sup> Edition Professor and Sr. Associate Director of the Land Policy Institute Director of the Planning and Zoning Center at MSU Michigan State University East Lansing, Michigan December 2008

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