

SCHOOL SITE PLAN REVIEW

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House Bill 5660

Sponsor: Rep. Philip LaJoy

Committee: Land Use and Environment

Complete to 3-23-04

A SUMMARY OF HOUSE BILL 5660 AS INTRODUCED 3-17-04

The bill would amend the Revised School Code to specify that a school board could not build or expand a school without first submitting a site plan to the local zoning authority for review. The bill specifies that these site plan review provisions would apply for a three-year period, beginning on the effective date of the legislation. The bill would add an opportunity for review and comments by the local zoning authority, but final authority would remain with the state superintendent.

Currently under the law, the state superintendent of public instruction has sole and exclusive jurisdiction over the review and approval of plans and specifications for the construction, reconstruction, or remodeling of school buildings used for instructional and non-instructional purposes, as well as for site plans for those school buildings.

House Bill 5660 would prohibit the board of a school district, and the board of directors of a public school academy, from building or expanding a school without first submitting a site plan to the local zoning authority for review. Not later than 60 days after receiving the site plan, the local zoning authority would be required to respond to the board with either a notice that the local zoning authority concurred with the site plan, or with suggested changes to the site plan. If there were suggested changes by the zoning authority, then not later than 45 days after receiving the changes, the school board would be required to respond to the zoning authority, with either a revised site plan that incorporated the changes, or with an explanation of why the changes were not being made.

If a school board received a notice of concurrence from the zoning agency, then the board would be required to submit the site plan and the notice, to the state superintendent of public instruction, and could then proceed with the building or expansion. However, if the board did not receive a notice of concurrence, then all of the following would apply:

- a) the school board would be required to submit the site plan to the state superintendent and provide a copy to the local zoning authority, together with notice that the site plan had been submitted to the state superintendent;
- b) the school board could not proceed with the building or expansion unless the site plan had been approved by the state superintendent;

- c) not later than 10 days after receiving the notice, the local zoning authority could submit comments to the state superintendent concerning its objections; and,
- d) the state superintendent would have the sole and exclusive jurisdiction over the review and approval of the site plan.

MCL 380.1263

FISCAL IMPACT:

The bill would have no fiscal impact on the state. There could be an indeterminate administrative cost to local school districts for copying and distributing additional copies of the site plans to local zoning boards, revising site plans to incorporate suggested changes, and resubmitting revised plans.

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