

SENATE BILL No. 23

January 30, 2001, Introduced by Senator STILLE and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1943 PA 183, entitled
"County zoning act,"
by amending the title and section 1 (MCL 125.201), the title as
amended by 1998 PA 151 and section 1 as amended by 1996 PA 46.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

1
2 An act to provide for the establishment in portions of coun-
3 ties lying outside the limits of incorporated cities and villages
4 of zoning districts within which the proper use of land and natu-
5 ral resources may be encouraged or regulated by ordinance, and
6 for which districts provisions may also be adopted designating
7 the location of, the size of, the uses that may be made of, the
8 minimum open spaces, sanitary, safety, and protective measures
9 that are required for, and the maximum number of families that
10 may be housed in dwellings, buildings, and structures ~~that are~~

~~1 erected or altered~~ AND REGULATING THE SIZE AND DENSITY OF LOTS
 2 AND PARCELS OF LAND; to designate the use of certain state
 3 licensed residential facilities; to provide for a method for the
 4 adoption of ordinances and amendments to ordinances; to provide
 5 for emergency interim ordinances; to provide by ordinance for the
 6 acquisition by purchase, condemnation, or otherwise, of property
 7 that does not conform to the requirements of the zoning districts
 8 so provided; to provide for the administering of ordinances
 9 adopted; to provide for conflicts with other acts, ordinances, or
 10 regulations; ~~to provide sanctions for violations;~~ to provide
 11 for the assessment, levy, and collection of taxes; to provide for
 12 referenda; to provide for appeals; to authorize the purchase of
 13 development rights; to authorize the issuance of bonds and notes;
 14 to provide for special assessments; and to ~~prescribe penalties~~
 15 ~~and~~ provide FOR PENALTIES, CIVIL SANCTIONS, AND remedies.

16 Sec. 1. (1) The county board of commissioners of a county
 17 ~~in this state~~ may provide by zoning ordinance for the estab-
 18 lishment of land development regulations and districts in the
 19 portions of the county outside the limits of cities and villages
 20 ~~which~~ THAT regulate the use of land ~~;~~ ~~to~~ AND STRUCTURES FOR
 21 ANY OF THE FOLLOWING PURPOSES:

22 (A) TO meet the needs of the state's citizens for food,
 23 fiber, energy, and other natural resources ~~,~~ AND FOR places of
 24 residence, recreation, industry, trade, service, and other LAND
 25 uses. ~~of land; to insure that uses of the land shall be~~

26 (B) TO ENSURE THAT LAND USES ARE situated in appropriate
 27 locations and relationships. ~~;~~ ~~to~~

1 (C) TO limit the ~~inappropriate congestion of population and~~
 2 ~~the~~ overcrowding of land ~~,~~ AND CONGESTION OF POPULATION AND OF
 3 transportation systems ~~,~~ and other public facilities. ~~to~~

4 (D) TO facilitate adequate and efficient transportation sys-
 5 tems, sewage disposal, ~~and~~ water, energy, education, recre-
 6 ation, and other public ~~service~~ SERVICES and ~~facility needs,~~
 7 ~~and to~~ FACILITIES.

8 (E) TO promote public health, safety, and welfare.

9 (2) For ~~those purposes the county board of commissioners~~
 10 ~~may divide~~ THE PURPOSES OF SUBSECTION (1), A ZONING ORDINANCE
 11 MAY DO 1 OR MORE OF THE FOLLOWING:

12 (A) DIVIDE the county into districts of a number, shape, and
 13 area ~~as is considered best suited to carry out this act. The~~
 14 ~~county board of commissioners of a county may use this act to~~
 15 ~~provide by ordinance~~ THAT THE COUNTY BOARD OF COMMISSIONERS CON-
 16 SIDERS BEST.

17 (B) PROVIDE for the establishment of land development regu-
 18 lations and districts in the portions of the county outside the
 19 limits of cities and villages ~~which~~ THAT apply only to land
 20 areas and activities ~~which~~ THAT are involved in a special pro-
 21 gram to achieve specific land management objectives and avert or
 22 solve specific land use problems, including the establishment of
 23 land development regulations and districts in areas subject to
 24 damage from flooding or beach erosion. ~~,~~ ~~and for those purposes~~
 25 THE ZONING ORDINANCE may divide the county into districts of a
 26 number, shape, and area ~~as is considered~~ THAT THE COUNTY BOARD
 27 OF COMMISSIONERS CONSIDERS best suited to accomplish those

1 objectives. ~~Land development regulations may also be adopted~~
 2 ~~designating or limiting the~~

3 (C) REGULATE 1 OR MORE OF THE FOLLOWING:

4 (i) THE location, size of, and ~~the~~ specific uses ~~for~~
 5 ~~which a dwelling, building, or structure~~ OF DWELLINGS, BUILD-
 6 INGS, OR STRUCTURES THAT may be erected or altered. ~~the~~

7 (ii) THE minimum open spaces, sanitary, safety, and protec-
 8 tive measures that shall be required for ~~those~~ THE dwellings,
 9 buildings, and structures. ~~and the~~

10 (iii) THE maximum number of families ~~which~~ THAT may be
 11 housed in ~~a building or dwelling erected or altered. The~~
 12 ~~regulations~~ THE DWELLINGS, BUILDINGS, OR STRUCTURES.

13 (D) REGULATE THE SIZE OF LOTS AND PARCELS AND THE DENSITY OF
 14 LOTS AND PARCELS.

15 (3) THE REGULATIONS OF A ZONING ORDINANCE shall be uniform
 16 for each class of land or buildings throughout each district, but
 17 the regulations in 1 district may differ from those in other
 18 districts.

19 (4) A county ~~board of commissioners may~~ SHALL not under
 20 this act, or under an ordinance adopted pursuant to this act,
 21 regulate or control the drilling, completion, or operation of an
 22 oil or gas well, or any other well drilled for oil or gas explo-
 23 ration purposes and ~~shall~~ DOES not have jurisdiction ~~with ref-~~
 24 ~~erence to~~ OVER the issuance of permits for the location,
 25 drilling, completion, operation, or abandonment of those wells.
 26 ~~Jurisdiction over those wells shall be~~ THE JURISDICTION OVER
 27 THOSE WELLS IS vested exclusively in the supervisor of wells of

1 the state, as provided in part 615 ~~(supervisor of wells)~~ of the
2 natural resources and environmental protection act, ~~Act No. 451~~
3 ~~of the Public Acts of 1994, being sections 324.61501 to 324.61527~~
4 ~~of the Michigan Compiled Laws~~ 1994 PA 451, MCL 324.61501 TO
5 324.61527.

6 (5) ~~(2)~~ An ordinance adopted pursuant to this act is
7 subject to the electric transmission line certification act, 1995
8 PA 30, MCL 460.561 TO 460.575.