



HOUSE BILL No. 5296

October 25, 1995, Introduced by Rep. Gnodtke and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend section 1 of Act No. 183 of the Public Acts of 1943, entitled as amended "The county rural zoning enabling act," as amended by Act No. 34 of the Public Acts of 1995, being section 125.201 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1 of Act No. 183 of the Public Acts of
2 1943, as amended by Act No. 34 of the Public Acts of 1995, being
3 section 125.201 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 1. (1) The county board of commissioners of a county
6 in this state may provide by zoning ordinance for the establish-
7 ment of land development regulations and districts in the
8 portions of the county outside the limits of cities and villages
9 which regulate the use of land; to meet the needs of the state's

1 citizens for food, fiber, energy, and other natural resources,
2 places of residence, recreation, industry, trade, service, and
3 other uses of land; to insure that uses of the land shall be sit-
4 uated in appropriate locations and relationships; to limit the
5 inappropriate congestion of population and the overcrowding of
6 land, transportation systems, and other public facilities; to
7 facilitate adequate and efficient transportation systems, sewage
8 disposal, and water, energy, education, recreation, and other
9 public service and facility needs; and to promote public health,
10 safety, and welfare. For those purposes the county board of com-
11 missioners may divide the county into districts of a number,
12 shape, and area as is considered best suited to carry out this
13 act. The county board of commissioners of a county may use this
14 act to provide by ordinance for the establishment of land devel-
15 opment regulations and districts in the portions of the county
16 outside the limits of cities and villages which apply only to
17 land areas and activities which are involved in a special program
18 to achieve specific land management objectives and avert or solve
19 specific land use problems, including the establishment of land
20 development regulations and districts in areas subject to damage
21 from flooding or beach erosion, and for those purposes may divide
22 the county into districts of a number, shape, and area as is con-
23 sidered best suited to accomplish those objectives. Land devel-
24 opment regulations may also be adopted designating or limiting
25 the location, size of, and the specific uses for which a dwell-
26 ing, building, or structure may be erected or altered; the
27 minimum open spaces, sanitary, safety, and protective measures

1 that shall be required for those dwellings, buildings, and
2 structures; and the maximum number of families which may be
3 housed in a building or dwelling erected or altered. The regula-
4 tions shall be uniform for each class of land or buildings
5 throughout each district, but the regulations in 1 district may
6 differ from those in other districts. A county board of commis-
7 sioners may not under this act, or under an ordinance adopted
8 pursuant to this act, regulate or control the drilling, comple-
9 tion, or operation of an oil or gas well, or any other well
10 drilled for oil or gas exploration purposes and shall not have
11 jurisdiction with reference to the issuance of permits for the
12 location, drilling, completion, operation, or abandonment of
13 those wells. Jurisdiction over those wells shall be vested
14 exclusively in the supervisor of wells of the state, as provided
15 in ~~Act No. 61 of the Public Acts of 1939, being sections 319.1~~
16 ~~to 319.27~~ PART 615 (SUPERVISOR OF WELLS) OF THE NATURAL
17 RESOURCES AND ENVIRONMENTAL PROTECTION ACT, ACT NO. 451 OF THE
18 PUBLIC ACTS OF 1994, BEING SECTIONS 324.61501 TO 324.61527 of the
19 Michigan Compiled Laws.

20 (2) An ordinance adopted pursuant to this act is subject to
21 the electric transmission line certification act.