SENATE BILL No. 412

March 16, 1995, Introduced by Senators NORTH and DUNASKISS
and referred to the Committee on Technology and Energy.

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,"

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, being section 125.201 of the Michigan Compiled Laws, is

3 amended to read as follows:

4   Sec. 1. (1) The county board of commissioners of a county

5 in this state may provide by zoning ordinance for the establish-

6 ment of land development regulations and districts in the por-

7 tions of the county outside the limits of cities and villages

8 which regulate the use of land; to meet the needs of the state's

9 citizens for food, fiber, energy, and other natural resources,

10 places of residence, recreation, industry, trade, service, and

1 other uses of land; to insure that uses of the land shall be

2 situated in appropriate locations and relationships; to limit the

3 inappropriate congestion of population and the overcrowding of

4 land, transportation systems, and other public facilities; to

5 facilitate adequate and efficient transportation systems, sewage

6 disposal, and water, energy, education, recreation, and other

7 public service and facility needs; and to promote public health,

8 safety, and welfare. For those purposes the county board of com-

9 missioners may divide the county into districts of a number,

10 shape, and area as is considered best suited to carry out this

11 act. The county board of commissioners of a county may use this

12 act to provide by ordinance for the establishment of land devel-

13 opment regulations and districts in the portions of the county

14 outside the limits of cities and villages which apply only to

15 land areas and activities which are involved in a special program

16 to achieve specific land management objectives and avert or solve

17 specific land use problems, including the establishment of land

18 development regulations and districts in areas subject to damage

19 from flooding or beach erosion, and for those purposes may divide

20 the county into districts of a number, shape, and area as is con-

21 sidered best suited to accomplish those objectives. Land devel-

22 opment regulations may also be adopted designating or limiting

23 the location, size of, and the specific uses for which a dwell-

24 ing, building, or structure may be erected or altered; the mini-

25 mum open spaces, sanitary, safety, and protective measures that

26 shall be required for those dwellings, buildings, and structures;

27 and the maximum number of families which may be housed in a

1 building or dwelling erected or altered. The regulations shall

2 be uniform for each class of land or buildings throughout each

3 district, but the regulations in 1 district may differ from those

4 in other districts. A county board of commissioners may not

5 under this act, or under an ordinance adopted pursuant to this

6 act, regulate or control the drilling, completion, or operation

7 of an oil or gas well, or any other well drilled for oil or gas

8 exploration purposes and shall not have jurisdiction with refer-

9 ence to the issuance of permits for the location, drilling, com-

10 pletion, operation, or abandonment of those wells. Jurisdiction

11 over those wells shall be vested exclusively in the supervisor of

12 wells of the state, as provided in Act No. 61 of the Public Acts

13 of 1939, ~~as amended,~~ being sections 319.1 to 319.27 of the

14 Michigan Compiled Laws.

15   (2) AN ORDINANCE ADOPTED PURSUANT TO THIS ACT IS SUBJECT TO

16 THE ELECTRIC TRANSMISSION LINE CERTIFICATION ACT.

17   Section 2. This amendatory act shall not take effect unless

18 Senate Bill No. _____ or House Bill No. _____ (request

19 no. 04332'95) of the 88th Legislature is enacted into law.