

HOUSE BILL No. 4131

January 28, 1997, Introduced by Rep. Dobb and referred to the Committee on Public Utilities.

A bill to amend 1943 PA 183, entitled
"The county rural zoning enabling act,"
by amending section 1 (MCL 125.201), as amended by 1996 PA 46.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The county board of commissioners of a county
2 in this state may provide by zoning ordinance for the establish-
3 ment of land development regulations and districts in the por-
4 tions of the county outside the limits of cities and villages
5 which regulate the use of land; to meet the needs of the state's
6 citizens for food, fiber, energy, and other natural resources,
7 places of residence, recreation, industry, trade, service, and
8 other uses of land; to insure that uses of the land shall be sit-
9 uated in appropriate locations and relationships; to limit the
10 inappropriate congestion of population and the overcrowding of
11 land, transportation systems, and other public facilities; to

1 facilitate adequate and efficient transportation systems, sewage
2 disposal, and water, energy, education, recreation, and other
3 public service and facility needs; and to promote public health,
4 safety, and welfare. For those purposes the county board of com-
5 missioners may divide the county into districts of a number,
6 shape, and area as is considered best suited to carry out this
7 act. The county board of commissioners of a county may use this
8 act to provide by ordinance for the establishment of land devel-
9 opment regulations and districts in the portions of the county
10 outside the limits of cities and villages which apply only to
11 land areas and activities which are involved in a special program
12 to achieve specific land management objectives and avert or solve
13 specific land use problems, including the establishment of land
14 development regulations and districts in areas subject to damage
15 from flooding or beach erosion, and for those purposes may divide
16 the county into districts of a number, shape, and area as is con-
17 sidered best suited to accomplish those objectives. Land devel-
18 opment regulations may also be adopted designating or limiting
19 the location, size of, and the specific uses for which a dwell-
20 ing, building, or structure may be erected or altered; the mini-
21 mum open spaces, sanitary, safety, and protective measures that
22 shall be required for those dwellings, buildings, and structures;
23 and the maximum number of families which may be housed in a
24 building or dwelling erected or altered. The regulations shall
25 be uniform for each class of land or buildings throughout each
26 district, but the regulations in 1 district may differ from those
27 in other districts. A county board of commissioners may not

1 under this act, or under an ordinance adopted pursuant to this
2 act, regulate or control the drilling, completion, or operation
3 of an oil or gas well, or any other well drilled for oil or gas
4 exploration purposes and shall not have jurisdiction with refer-
5 ence to the issuance of permits for the location, drilling, com-
6 pletion, operation, or abandonment of those wells. Jurisdiction
7 over those wells shall be vested exclusively in the supervisor of
8 wells of the state, as provided in part 615 (supervisor of wells)
9 of the natural resources and environmental protection act, ~~Act~~
10 ~~No. 451 of the Public Acts of 1994, being sections 324.61501 to~~
11 ~~324.61527 of the Michigan Compiled Laws~~ 1994 PA 451, MCL
12 324.61501 TO 324.61527.

13 (2) An ordinance adopted ~~pursuant to~~ UNDER this act is
14 subject to ~~the electric transmission line certification act~~
15 PART 43 OF THE MICHIGAN UTILITY CODE, MCL 460.4301 TO 460.4313.

16 Enacting section 1. This amendatory act does not take
17 effect unless Senate Bill No. _____ or House Bill No. _____
18 (request no. 00135'97) of the 89th Legislature is enacted into
19 law.