

# HOUSE BILL No. 6198

June 13, 2002, Introduced by Reps. Jelinek, Kolb, Minore and Lemmons and referred to the Committee on Land Use and Environment.

A bill to amend 1943 PA 184, entitled  
"Township zoning act,"  
by amending section 1 (MCL 125.271), as amended by 1996 PA 47.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. (1) The township board of ~~an organized township in~~  
2 ~~this state~~ A TOWNSHIP may provide by zoning ordinance for ~~the~~  
3 ~~regulation of land development and~~ the establishment of  
4 REGULATIONS AND districts, in the portions of the township out-  
5 side the limits of cities and villages, which regulate the use of  
6 land and structures ~~→ to~~ FOR 1 OR MORE OF THE FOLLOWING  
7 PURPOSES:

8       (A) TO meet the needs of the state's citizens for food,  
9 fiber, energy, and other natural resources, places of residence,  
10 recreation, industry, trade, service, and other uses of land. ~~→~~  
11 ~~to insure that use of the land shall be~~

1 (B) TO ENSURE THAT USES OF THE LAND ARE situated in  
2 appropriate locations and relationships. ~~to~~

3 (C) TO limit the inappropriate overcrowding of land and con-  
4 gestion of population, transportation systems, and other public  
5 facilities. ~~to~~

6 (D) TO facilitate adequate and efficient ~~provision for~~  
7 transportation systems, sewage disposal, water, energy, educa-  
8 tion, recreation, and other public ~~service and facility require-~~  
9 ~~ments; and to~~ SERVICES AND FACILITIES.

10 (E) TO promote public health, safety, and welfare. ~~For~~  
11 ~~these purposes, the township board~~

12 (2) FOR THE PURPOSES SET FORTH IN SUBSECTION (1), A ZONING  
13 ORDINANCE may divide the township into districts of ~~such~~ A  
14 number, shape, and area ~~as it considers~~ CONSIDERED BY THE TOWN-  
15 SHIP BOARD TO BE best suited to carry out this act. The township  
16 board of ~~an organized township may use this act to~~ A TOWNSHIP  
17 MAY ALSO provide by ordinance for the regulation of land develop-  
18 ment and the establishment of districts ~~which~~ THAT apply only  
19 to land areas and activities ~~which are~~ involved in a special  
20 program to achieve specific land management objectives and avert  
21 or solve specific land use problems, including ~~the regulation of~~  
22 ~~land development and the establishment of districts in areas~~  
23 ~~subject to~~ damage from flooding or beach erosion, and for that  
24 purpose may divide the township into districts of a number,  
25 shape, and area considered BY THE TOWNSHIP BOARD TO BE best  
26 suited to accomplish those objectives. ~~Ordinances regulating~~  
27 ~~land development may also be adopted designating or limiting~~ A

1 ZONING ORDINANCE MAY ALSO DESIGNATE OR LIMIT the location, the  
2 height, number of stories, and size of dwellings, buildings, and  
3 OTHER structures that may be erected or altered, including tents  
4 and trailer coaches, and the specific uses for which dwellings,  
5 buildings, and OTHER structures, including tents and trailer  
6 coaches, may be erected or altered; the area of yards, courts,  
7 and other open spaces, and the sanitary, safety, and protective  
8 measures that shall be required for the dwellings, buildings, and  
9 OTHER structures, including tents and trailer coaches; and the  
10 maximum number of families which may be housed in buildings,  
11 dwellings, and OTHER structures, including tents and trailer  
12 coaches, erected or altered. The provisions shall be uniform for  
13 each class of land or buildings, dwellings, and OTHER structures,  
14 including tents and trailer coaches, throughout each district,  
15 but the provisions ~~in~~ APPLICABLE TO 1 district may differ from  
16 those ~~in~~ APPLICABLE TO other districts. THE ZONING ORDINANCE  
17 MAY PROVIDE FOR A MIX OF LAND USES AND ACTIVITIES IN A DISTRICT  
18 OR MAY PROVIDE FOR THE SEPARATION OF DIFFERENT LAND USES AND  
19 ACTIVITIES IN DIFFERENT DISTRICTS, OR BOTH.

20 (3) A township board shall not regulate or control the  
21 drilling, completion, or operation of oil or gas wells, or other  
22 wells drilled for oil or gas exploration purposes and shall not  
23 have jurisdiction ~~with reference to~~ OVER the issuance of per-  
24 mits for the location, drilling, completion, operation, or aban-  
25 donment of those wells. ~~The jurisdiction relative to~~  
26 JURISDICTION OVER THOSE wells shall be vested exclusively in the  
27 supervisor of wells of this state, as provided in part 615

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

5 (4) ~~(2)~~ An ordinance adopted pursuant to this act is  
6 subject to the electric transmission line certification act, 1995  
7 PA 30, MCL 460.561 TO 460.575.