

SENATE BILL No. 414

April 24, 2001, Introduced by Senator LELAND and referred to the Committee on Gaming and Casino Oversight.

A bill to amend 1921 PA 207, entitled
"City and village zoning act,"
by amending section 20 (MCL 125.600), as amended by 2000 PA 383,
and by adding section 3d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3D. (1) A CITY WITH A POPULATION OF 750,000 OR MORE
2 THAT HAS ADOPTED A ZONING ORDINANCE SHALL ZONE ANY LAND IN THAT
3 CITY LOCATED WITHIN 1/2 MILE OF A CONNECTING WATERWAY OF THE
4 GREAT LAKES IN A ZONING CLASSIFICATION THAT DOES NOT AUTHORIZE A
5 USE REGULATED UNDER THE MICHIGAN GAMING CONTROL AND REVENUE ACT,
6 THE INITIATED LAW OF 1996, MCL 432.201 TO 432.226.

7 (2) A CITY WITH A POPULATION OF 750,000 OR MORE THAT HAS
8 ADOPTED A ZONING ORDINANCE SHALL NOT APPROVE A SPECIAL LAND USE
9 UNDER SECTION 4A ON ANY LAND IN THAT CITY LOCATED WITHIN 1/2 MILE
10 OF A CONNECTING WATERWAY OF THE GREAT LAKES FOR A USE REGULATED

1 UNDER THE MICHIGAN GAMING CONTROL AND REVENUE ACT, THE INITIATED
2 LAW OF 1996, MCL 432.201 TO 432.2226.

3 Sec. 20. (1) As used in this act:

4 (a) "Agricultural land" means substantially undeveloped land
5 devoted to the production of plants and animals useful to humans,
6 including forage and sod crops; grains, feed crops, and field
7 crops; dairy CATTLE and dairy products; poultry and poultry pro-
8 ducts; livestock, including breeding and grazing of cattle,
9 swine, and similar animals; berries; herbs; flowers; seeds;
10 grasses; nursery stock; fruits; vegetables; Christmas trees; and
11 other similar uses and activities.

12 (b) "Airport" means an airport licensed by the Michigan
13 department of transportation, bureau of aeronautics under section
14 86 of the aeronautics code of the state of Michigan, 1945 PA 327,
15 MCL 259.86.

16 (c) "Airport approach plan" means a plan, or an amendment to
17 a plan, adopted under section 12 of the airport zoning act, 1950
18 (Ex Sess) PA 23, MCL 259.442, and filed with the commission
19 appointed to recommend zoning regulations for the city or village
20 under section 151 of the aeronautics code of the state of
21 Michigan, 1945 PA 327, MCL 259.151.

22 (d) "Airport layout plan" means a plan, or an amendment to a
23 plan, that shows current or proposed layout of an airport, that
24 is approved by the Michigan aeronautics commission, and that is
25 filed with the city or village zoning commission under section
26 151 of the aeronautics code of the state of Michigan, 1945 PA
27 327, MCL 259.151.

1 (e) "Airport manager" means that term as defined in section
2 10 of the aeronautics code of the state of Michigan, 1945 PA 327,
3 MCL 259.10.

4 (f) "Airport zoning regulations" means airport zoning regu-
5 lations under the airport zoning act, 1950 (Ex Sess) PA 23, MCL
6 259.431 to 259.465, for an airport hazard area that lies in whole
7 or part in the area affected by a zoning ordinance under this
8 act.

9 (G) "CONNECTING WATERWAY OF THE GREAT LAKES" MEANS THE
10 ST. MARYS RIVER, DETROIT RIVER, ST. CLAIR RIVER, OR LAKE
11 ST. CLAIR.

12 (H) ~~(g)~~ "Development rights" means the rights to develop
13 land to the maximum intensity of development authorized by law.

14 (I) ~~(h)~~ "Development rights ordinance" means an ordinance,
15 which may comprise part of a zoning ordinance, adopted under
16 section 13.

17 (J) ~~(i)~~ "Intensity of development" means the height, bulk,
18 area, density, setback, use, and other similar characteristics of
19 development.

20 (K) ~~(j)~~ "Other eligible land" means land that has a common
21 property line with agricultural land from which development
22 rights have been purchased and that is not divided from that
23 agricultural land by a state or federal limited access highway.

24 (l) ~~(k)~~ "PDR program" means a program under section 14 for
25 the purchase of development rights by a city or village.

26 (2) This act shall be known and may be cited as the "city
27 and village zoning act".