

HOUSE BILL No. 5565

January 19, 2006, Introduced by Reps. Kolb, Alma Smith, Tobocman and Gleason and referred to the Committee on Local Government and Urban Policy.

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 may provide by zoning ordinance for the regulation of~~
3 ~~land development and the establishment of districts~~ **A TOWNSHIP MAY**
4 **ADOPT A ZONING ORDINANCE REGULATING THE USE OF LAND AND STRUCTURES**
5 in the portions of the township outside the limits of cities and
6 villages ~~which regulate the use of land and structures; to~~ **FOR 1**
7 **OR MORE OF THE FOLLOWING PURPOSES:**

8 **(A) TO** meet the needs of the state's citizens for food, fiber,
9 energy, and other natural resources, places of residence,

1 recreation, industry, trade, service, and other uses of land. ~~to~~
 2 ~~insure that use of the land shall be~~

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

5 (C) TO limit the inappropriate overcrowding of land and
 6 congestion of population, transportation systems, and other public
 7 facilities. ~~to~~

8 (D) TO facilitate adequate and efficient ~~provision for~~
 9 transportation systems, sewage disposal, AND water, energy,
 10 education, recreation, and other public ~~service and facility~~
 11 ~~requirements; and to~~ SERVICES AND FACILITIES.

12 (E) TO promote public health, safety, and welfare. ~~For these~~
 13 ~~purposes, the township board may divide the township into districts~~
 14 ~~of such number, shape, and area as it considers best suited to~~
 15 ~~carry out this act.~~

16 (2) The township board ~~of an organized township may use this~~
 17 ~~act to~~ MAY ALSO provide by A ZONING ordinance for the regulation
 18 of land development and the establishment of districts ~~which~~ THAT
 19 apply only to land areas and activities ~~which are~~ involved in a
 20 special program to achieve specific land management objectives and
 21 avert or solve specific land use problems, including ~~the~~
 22 ~~regulation of land development and the establishment of districts~~
 23 ~~in areas subject to~~ damage from flooding or beach erosion. ~~, and~~
 24 ~~for that purpose~~

25 (3) A ZONING ORDINANCE may divide the township into districts
 26 of a number, shape, and area considered BY THE TOWNSHIP BOARD TO BE
 27 best suited to accomplish ~~those objectives. Ordinances regulating~~

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

22 (4) A township board shall not regulate or control the
 23 drilling, completion, or operation of **AN** oil or gas ~~wells,~~ **WELL**
 24 or **ANY** other ~~wells~~ **WELL** drilled for oil or gas exploration
 25 purposes and ~~shall~~ **DOES** not have jurisdiction ~~with reference to~~
 26 **OVER** the issuance of permits for the location, drilling,
 27 completion, operation, or abandonment of those wells. ~~The~~

1 ~~jurisdiction relative to~~ **JURISDICTION OVER THOSE** wells ~~shall be~~
2 **IS** vested exclusively in the supervisor of wells of this state, as
3 provided in part 615 ~~(supervisor of wells)~~ of the natural
4 resources and environmental protection act, ~~Act No. 451 of the~~
5 ~~Public Acts of 1994, being sections 324.61501 to 324.61527 of the~~
6 ~~Michigan Compiled Laws~~ **1994 PA 451, MCL 324.61501 TO 324.61527.**

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