

HOUSE BILL No. 5566

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 183, entitled
"County zoning 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 ~~in~~
2 ~~this state may provide by zoning ordinance for the establishment of~~
3 ~~land development regulations and districts~~ **MAY ADOPT A ZONING**
4 **ORDINANCE REGULATING THE USE OF LAND AND STRUCTURES** in the portions
5 of the county outside the limits of cities and villages ~~which~~
6 ~~regulate the use of land; to~~ **FOR 1 OR MORE OF THE FOLLOWING**
7 **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 uses of the land shall be~~

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

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

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

12 (E) TO promote public health, safety, and welfare. ~~For those~~
 13 ~~purposes the county board of commissioners may divide the county~~
 14 ~~into districts of a number, shape, and area as is considered best~~
 15 ~~suited to carry out this act.~~

16 (2) The county board of commissioners ~~of a county may use~~
 17 ~~this act to~~ MAY ALSO provide by A ZONING ordinance for the
 18 establishment REGULATION of land development ~~regulations~~ and THE
 19 ESTABLISHMENT OF districts in the portions of the county outside
 20 the limits of cities and villages ~~which~~ THAT apply only to land
 21 areas and activities ~~which are~~ involved in a special program to
 22 achieve specific land management objectives and avert or solve
 23 specific land use problems, including ~~the establishment of land~~
 24 ~~development regulations and districts in areas subject to damage~~
 25 ~~from flooding or beach erosion. , and for those purposes~~

26 (3) A ZONING ORDINANCE may divide the county into districts of
 27 a number, shape, and area ~~as is~~ considered BY THE COUNTY BOARD OF

1 ~~COMMISSIONERS TO BE~~ best suited to accomplish ~~those objectives.~~
2 ~~Land development regulations may also be adopted designating or~~
3 ~~limiting~~ **THE PURPOSES SET FORTH IN SUBSECTION (1) OR (2). A ZONING**
4 **ORDINANCE MAY ALSO DESIGNATE OR LIMIT** the location, size of, and
5 the specific uses for which a dwelling, building, or **OTHER**
6 structure may be erected or altered; the minimum open spaces,
7 sanitary, safety, and protective measures that shall be required
8 for those dwellings, buildings, and **OTHER** structures; and the
9 maximum number of families ~~which~~ **THAT** may be housed in a building
10 or dwelling erected or altered. The ~~regulations~~ **PROVISIONS** shall
11 be uniform for each class of land or buildings throughout each
12 district, but the ~~regulations in~~ **PROVISIONS APPLICABLE TO 1**
13 district may differ from those ~~in~~ **APPLICABLE TO** other districts.
14 **THE ZONING ORDINANCE MAY PROVIDE FOR A MIX OF LAND USES AND**
15 **ACTIVITIES IN A DISTRICT OR MAY PROVIDE FOR THE SEPARATION OF**
16 **DIFFERENT LAND USES AND ACTIVITIES IN DIFFERENT DISTRICTS, OR BOTH.**

17 (4) A county board of commissioners ~~may~~ **SHALL** not under this
18 act, or under an ordinance adopted pursuant to this act, regulate
19 or control the drilling, completion, or operation of an oil or gas
20 well, or any other well drilled for oil or gas exploration
21 purposes, and ~~shall~~ **DOES** not have jurisdiction ~~with reference to~~
22 **OVER** the issuance of permits for the location, drilling,
23 completion, operation, or abandonment of those wells. Jurisdiction
24 over those wells ~~shall be~~ **IS** vested exclusively in the supervisor
25 of wells of ~~the~~ **THIS** state, as provided in part 615 ~~(supervisor~~
26 ~~of wells)~~ of the natural resources and environmental protection
27 act, ~~Act No. 451 of the Public Acts of 1994, being sections~~

1 ~~324.61501 to 324.61527 of the Michigan Compiled Laws 1994 PA 451,~~
2 **MCL 324.61501 TO 324.61527.**

3 **(5)** ~~—(2)—~~ An ordinance adopted pursuant to this act is subject
4 to the electric transmission line certification act, **1995 PA 30,**
5 **MCL 460.561 TO 460.575.**