

HOUSE BILL No. 6042

September 13, 1990, Introduced by Reps. Trim, DeMars and Kosteva and referred to the Committee on Tourism, Fisheries and Wildlife.

A bill to amend the title and section 1 of Act No. 183 of the Public Acts of 1943, entitled as amended "The county rural zoning enabling act," being section 125.201 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 1 of Act No. 183 of the
2 Public Acts of 1943, being section 125.201 of the Michigan
3 Compiled Laws, are amended to read as follows:

4 TITLE

5 An act to provide for the establishment in portions of coun-
6 ties lying outside the limits of incorporated cities and villages
7 of zoning districts within which the proper use of land, WATER,
8 and natural resources may be encouraged or regulated by
9 ordinance, and within which districts provisions may also be
10 adopted designating the location of, the size of, the uses that

1 may be made of, the minimum open spaces, sanitary, safety, and
2 protective measures that shall be required for, and the maximum
3 number of families that may be housed in dwellings, buildings,
4 and structures that may be erected or altered after the effective
5 date of this act; to designate the use of certain state licensed
6 residential facilities; to provide for a method for the adoption
7 of ordinances and amendments thereto; to provide for emergency
8 interim ordinances; to provide by ordinance for the acquisition
9 by purchase, condemnation, or otherwise, of property which does
10 not conform to the requirements of the zoning districts so pro-
11 vided; to provide for the administering of ordinances adopted; to
12 provide for conflicts with other acts, ordinances, or regula-
13 tions; to provide penalties for violations; to provide for the
14 assessment, levy, and collection of taxes; to provide for refer-
15 enda; to provide for appeals; and to provide for the repeal of
16 acts in conflict with this act.

17 Sec. 1. The county board of commissioners of a county in
18 this state may provide by zoning ordinance for the establishment
19 of land development regulations and districts AND REGULATIONS FOR
20 ACTIVITIES AND STRUCTURES IN AND RELATING TO INLAND LAKES,
21 STREAMS, AND OTHER BODIES OF WATER WITHIN THE TERRITORIAL LIMITS
22 OF THIS STATE INCLUDING THOSE WATERS OF THE GREAT LAKES THAT ARE
23 UNDER THE JURISDICTION OF THIS STATE in the portions of the
24 county outside the limits of cities and villages which regulate
25 the use of land OR WATER; to meet the needs of the state's citi-
26 zens for food, fiber, energy, and other natural resources, places
27 of residence, recreation, industry, trade, service, and other

1 uses of land; to insure that uses of the land shall be situated
2 in appropriate locations and relationships; to limit the inappro-
3 priate congestion of population and the overcrowding of land,
4 transportation systems, and other public facilities; to facili-
5 tate adequate and efficient transportation systems, sewage dis-
6 posal, ~~and~~ water, energy, education, recreation, and other
7 public ~~service and facility needs~~ SERVICES AND FACILITIES; and
8 to promote public health, safety, and welfare. For those
9 purposes, the county board of commissioners may divide the county
10 into districts of a number, shape, and area as is considered best
11 suited to carry out this act. The county board of commissioners
12 of a county may use this act to provide by ordinance for the
13 establishment of land development regulations and districts in
14 the portions of the county outside the limits of cities and vil-
15 lages which apply only to land areas and activities which are
16 involved in a special program to achieve specific land management
17 objectives and avert or solve specific land use problems, includ-
18 ing the establishment of land development regulations and dis-
19 tricts in areas subject to damage from flooding or beach erosion,
20 and for those purposes may divide the county into districts of a
21 number, shape, and area as is considered best suited to accom-
22 plish those objectives. Land development regulations may also be
23 adopted designating or limiting the location, size of, and the
24 specific uses for which a dwelling, building, or structure may be
25 erected or altered; the minimum open spaces, sanitary, safety,
26 and protective measures that shall be required for those
27 dwellings, buildings, and structures; and the maximum number of

1 families which may be housed in a building or dwelling erected or
2 altered. The regulations shall be uniform for each class of land
3 or buildings throughout each district, but the regulations in 1
4 district may differ from those in other districts. A county
5 board of commissioners may not under this act, or under an ordi-
6 nance adopted pursuant to this act, regulate or control the
7 drilling, completion, or operation of an oil or gas well ~~—~~ or
8 any other well drilled for oil or gas exploration purposes and
9 ~~shall~~ DOES not have jurisdiction with reference to the issuance
10 of permits for the location, drilling, completion, operation, or
11 abandonment of those wells. Jurisdiction over those wells ~~shall~~
12 ~~be~~ IS vested exclusively in the supervisor of wells of the
13 state, as provided in Act No. 61 of the Public Acts of 1939, as
14 amended, being sections 319.1 to 319.27 of the Michigan Compiled
15 Laws.