

# HOUSE BILL No. 6197

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

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  
2 in this state may provide by zoning ordinance for the establish-  
3 ment of land USE AND development regulations and districts, in  
4 the portions of the county outside the limits of cities and vil-  
5 lages ~~which regulate the use of land; to~~ FOR 1 OR MORE OF THE  
6 FOLLOWING PURPOSES:

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

1 (B) TO ENSURE that uses of the land shall be situated in  
2 appropriate locations and relationships. ~~to~~

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

6 (D) TO facilitate adequate and efficient transportation sys-  
7 tems, sewage disposal, and water, energy, education, recreation,  
8 and other public ~~service and facility needs; and to~~ SERVICES  
9 AND FACILITIES.

10 (E) TO promote public health, safety, and welfare. ~~For~~  
11 ~~those purposes the county board of commissioners~~

12 (2) FOR THE PURPOSES SET FORTH IN SUBSECTION (1), A ZONING  
13 ORDINANCE may divide the county into districts of a number,  
14 shape, and area ~~as is~~ considered BY THE COUNTY BOARD OF COMMIS-  
15 SIONERS TO BE best suited to carry out this act. The county  
16 board of commissioners of a county may ~~use this act to~~ ALSO  
17 provide by ordinance for the establishment of land development  
18 regulations and districts in the portions of the county outside  
19 the limits of cities and villages ~~which~~ THAT apply only to land  
20 areas and activities ~~which are~~ involved in a special program to  
21 achieve specific land management objectives and avert or solve  
22 specific land use problems, including ~~the establishment of land~~  
23 ~~development regulations and districts in areas subject to~~ damage  
24 from flooding or beach erosion, and for those purposes may divide  
25 the county into districts of a number, shape, and area ~~as is~~  
26 considered BY THE COUNTY BOARD OF COMMISSIONERS TO BE best suited  
27 to accomplish those objectives. ~~Land development regulations~~

1 ~~may also be adopted designating or limiting~~ A ZONING ORDINANCE  
2 MAY ALSO DESIGNATE OR LIMIT the location, size of, and the spe-  
3 cific uses for which a dwelling, building, or structure may be  
4 erected or altered; the minimum open spaces, sanitary, safety,  
5 and protective measures that shall be required for those dwell-  
6 ings, buildings, and structures; and the maximum number of fami-  
7 lies which may be housed in a building or dwelling erected or  
8 altered. The ~~regulations~~ PROVISIONS shall be uniform for each  
9 class of land or buildings throughout each district, but the  
10 ~~regulations in~~ PROVISIONS APPLICABLE TO 1 district may differ  
11 from those ~~in~~ APPLICABLE TO other districts. THE ZONING ORDI-  
12 NANCE MAY PROVIDE FOR A MIX OF LAND USES AND ACTIVITIES IN A DIS-  
13 TRICT OR MAY PROVIDE FOR THE SEPARATION OF DIFFERENT LAND USES  
14 AND ACTIVITIES IN DIFFERENT DISTRICTS, OR BOTH.

15 (3) A county board of commissioners may not under this act,  
16 or under an ordinance adopted pursuant to this act, regulate or  
17 control the drilling, completion, or operation of an oil or gas  
18 well, or any other well drilled for oil or gas exploration pur-  
19 poses and shall not have jurisdiction ~~with reference to~~ OVER  
20 the issuance of permits for the location, drilling, completion,  
21 operation, or abandonment of those wells. Jurisdiction over  
22 those wells shall be vested exclusively in the supervisor of  
23 wells of the state, as provided in part 615 ~~(supervisor of~~  
24 ~~wells)~~ of the natural resources and environmental protection  
25 act, ~~Act No. 451 of the Public Acts of 1994, being sections~~  
26 ~~324.61501 to 324.61527 of the Michigan Compiled Laws 1994~~  
27 PA 451, MCL 324.61501 TO 324.61527.

1           (4) ~~-(2)-~~ An ordinance adopted pursuant to this act is  
2 subject to the electric transmission line certification act 1995  
3 PA 30, MCL 460.561 TO 460.575.