

# SENATE BILL No. 22

January 30, 2001, Introduced by Senator STILLE and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending the title and section 1 (MCL 125.271), the title as amended by 1998 PA 152 and section 1 as amended by 1996 PA 47.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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TITLE

An act to provide for the establishment in townships of zoning districts within which the proper use of land and natural resources may be encouraged or regulated by ordinance, and for which districts provisions may also be adopted designating the location of, the size of, the uses that may be made of, the minimum open spaces, sanitary, safety, and protective measures that shall be required for, and the maximum number of families that may be housed in dwellings, buildings, and structures, including tents and trailer coaches, ~~that are erected or altered~~ AND

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1 REGULATING THE SIZE AND DENSITY OF LOTS AND PARCELS OF LAND; to  
 2 designate the use of certain state licensed residential facili-  
 3 ties; to provide for a method for the adoption of ordinances and  
 4 amendments to ordinances; to provide for emergency interim ordi-  
 5 nances; to provide for the acquisition by purchase, condemnation,  
 6 or otherwise of nonconforming property; to provide for the admin-  
 7 istering of ordinances adopted; to provide for conflicts with  
 8 other acts, ordinances, or regulations; ~~to provide sanctions for~~  
 9 ~~violations;~~ to provide for the assessment, levy, and collection  
 10 of taxes; to provide for the collection of fees for building per-  
 11 mits; to provide for petitions, public hearings, and referenda;  
 12 to provide for appeals; to authorize the purchase of development  
 13 rights; to authorize the issuance of bonds and notes; to provide  
 14 for special assessments; and to ~~prescribe penalties and~~ provide  
 15 FOR PENALTIES, CIVIL SANCTIONS, AND remedies.

16       Sec. 1. (1) The township board of ~~an organized~~ A township  
 17 ~~in this state~~ may provide by zoning ordinance for the regula-  
 18 tion of land development and the establishment of districts in  
 19 the portions of the township outside the limits of cities and  
 20 villages ~~which~~ THAT regulate the use of land and structures →  
 21 ~~to~~ FOR ANY OF THE FOLLOWING PURPOSES:

22       (A) TO meet the needs of the state's citizens for food, FOR  
 23 fiber, energy, and other natural resources, AND FOR places of  
 24 residence, recreation, industry, trade, service, and other ~~uses~~  
 25 of land; ~~to insure that use of the land shall be~~ LAND USES.

26       (B) TO ENSURE THAT LAND USES ARE situated in appropriate  
 27 locations and relationships. ~~to~~

1 (C) TO limit the ~~inappropriate~~ overcrowding of land and  
 2 congestion of population ~~,~~ AND OF transportation systems ~~,~~  
 3 and other public facilities. ~~to~~

4 (D) TO facilitate adequate and efficient provision for  
 5 transportation systems, sewage disposal, water, energy, educa-  
 6 tion, recreation, and other public ~~service and facility require-~~  
 7 ~~ments; and to~~ SERVICES AND FACILITIES.

8 (E) TO promote public health, safety, and welfare. ~~For~~  
 9 ~~these purposes, the township board may divide~~

10 (2) FOR THE PURPOSES LISTED IN SUBSECTION (1), A ZONING  
 11 ORDINANCE MAY DO 1 OR MORE OF THE FOLLOWING:

12 (A) DIVIDE the township into districts of ~~such~~ A number,  
 13 shape, and area ~~as it~~ THAT THE TOWNSHIP BOARD considers best.  
 14 ~~suited to carry out this act. The township board of an orga-~~  
 15 ~~nized township may use this act to provide by ordinance~~

16 (B) PROVIDE for the regulation of land development and the  
 17 establishment of districts ~~which~~ THAT apply only to land areas  
 18 and activities ~~which~~ THAT are involved in a special program to  
 19 achieve specific land management objectives and avert or solve  
 20 specific land use problems, including the regulation of land  
 21 development and the establishment of districts in areas subject  
 22 to damage from flooding or beach erosion, and for that purpose  
 23 may divide the township into districts of a number, shape, and  
 24 area ~~considered~~ THAT THE TOWNSHIP BOARD CONSIDERS best suited  
 25 to accomplish those objectives. ~~Ordinances regulating land~~  
 26 ~~development may also be adopted designating or limiting the~~

1 (C) REGULATE ALL OF THE FOLLOWING:

2 (i) THE location, ~~the~~ height, number of stories, ~~and size~~  
3 ~~of dwellings, buildings, and structures that may be erected or~~  
4 ~~altered, including tents and trailer coaches, and the specific~~  
5 ~~uses for which~~ SIZE, AND SPECIFIC USES OF dwellings, buildings,  
6 and structures, including tents and trailer coaches, THAT may be  
7 erected or altered. ~~the~~

8 (ii) THE area of yards, courts, and other open spaces, and  
9 the sanitary, safety, and protective measures that shall be  
10 required for the dwellings, buildings, and structures. ~~, includ=~~  
11 ~~ing tents and trailer coaches; and the~~

12 (iii) THE maximum number of families ~~which~~ THAT may be  
13 housed in ~~buildings,~~ THE dwellings, BUILDINGS, and structures.  
14 ~~, including tents and trailer coaches, erected or altered.~~

15 (D) REGULATE THE SIZE OF LOTS AND PARCELS AND THE DENSITY OF  
16 LOTS AND PARCELS.

17 (3) The provisions OF A ZONING ORDINANCE shall be uniform  
18 for each class of land or buildings, dwellings, and structures ~~,~~  
19 ~~including tents and trailer coaches,~~ throughout each district,  
20 but the provisions in 1 district may differ from those in other  
21 districts.

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

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

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