

HOUSE BILL No. 4973

July 16, 2003, Introduced by Reps. Kolb, Tobocman, Rivet, Minore, Jamnick, Bieda, Gielegem and Lipsey and referred to the Committee on Land Use and Environment.

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 in the~~
4 ~~portions of the township outside the limits of cities and~~
5 ~~villages which regulate~~ **a township may adopt a zoning ordinance**
6 **regulating** the use of land and structures ~~;~~ ~~to~~ **for 1 or more of**
7 **the following purposes:**

8 (a) To meet the needs of the state's citizens for food,
9 fiber, energy, and other natural resources, places of residence,
10 recreation, industry, trade, service, and other uses of land. ~~;~~
11 ~~to insure that use of the land shall be~~

1 **(b) To ensure that uses of the land are** situated in
2 appropriate locations and relationships. ~~—; to~~

3 **(c) To limit the inappropriate overcrowding of land and**
4 congestion of population, transportation systems, and other
5 public facilities. ~~—; to~~

6 **(d) To facilitate adequate and efficient** ~~provision for~~
7 transportation systems, sewage disposal, water, energy,
8 education, recreation, and other public ~~service and facility~~
9 requirements; ~~and to~~ **services and facilities.**

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

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

23 **(3) A zoning ordinance** may divide the township into
24 districts of a number, shape, and area considered **by the township**
25 **board to be** best suited to accomplish ~~these objectives~~ **the**
26 **purposes set forth in subsection (1) or (2).** ~~Ordinances~~
27 ~~regulating land development may also be adopted designating or~~

1 ~~limiting~~ **A zoning ordinance may also designate or limit** the
2 location, the height, number of stories, and size of dwellings,
3 buildings, and **other** structures that may be erected or altered,
4 including tents and trailer coaches, and the specific uses for
5 which dwellings, buildings, and **other** structures, including tents
6 and trailer coaches, may be erected or altered; the area of
7 yards, courts, and other open spaces, and the sanitary, safety,
8 and protective measures that shall be required for the dwellings,
9 buildings, and **other** structures, including tents and trailer
10 coaches; and the maximum number of families which may be housed
11 in buildings, dwellings, and **other** structures, including tents
12 and trailer coaches, erected or altered. The provisions shall be
13 uniform for each class of land or buildings, dwellings, and **other**
14 structures, including tents and trailer coaches, throughout each
15 district, but the provisions ~~in~~ **applicable to** 1 district may
16 differ from those ~~in~~ **applicable to** other districts. **The zoning**
17 **ordinance may provide for a mix of land uses and activities in a**
18 **district or may provide for the separation of different land uses**
19 **and activities in different districts, or both.**

20 (4) A township board shall not regulate or control the
21 drilling, completion, or operation of oil or gas wells, or other
22 wells drilled for oil or gas exploration purposes and shall not
23 have jurisdiction ~~with reference to~~ **over** the issuance of
24 permits for the location, drilling, completion, operation, or
25 abandonment of those wells. ~~The jurisdiction relative to~~
26 **Jurisdiction over those** wells shall be vested exclusively in the
27 supervisor of wells of this state, as provided in part 615

1 ~~—(supervisor of wells)—~~ of the natural resources and
2 environmental protection act, ~~Act No. 451 of the Public Acts of~~
3 ~~1994, being sections 324.61501 to 324.61527 of the Michigan~~
4 ~~Compiled Laws—~~ **1994 PA 451, MCL 324.61501 to 324.61527.**

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