

SENATE BILL NO. 429

March 11, 1999, Introduced by Senators BULLARD, STILLE and STEIL
and referred to the Committee on Natural Resources and
Environmental Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 30509 (MCL 324.30509), as added by 1995 PA
59.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30509. (1) The ZONING ordinance or ZONING rule shall
2 establish zoning districts within which ~~such uses of land as for~~
3 ~~agriculture, forestry, recreation, residence, industry, commerce,~~
4 ~~and additional uses~~ AGRICULTURAL, SILVICULTURAL, RECREATIONAL,
5 RESIDENTIAL, INDUSTRIAL, COMMERCIAL, AND OTHER USES OF LAND may
6 be encouraged, regulated, or prohibited. ~~It may limit~~

7 (2) THE ZONING ORDINANCE OR ZONING RULE MAY DO 1 OR MORE OF
8 THE FOLLOWING:

9 (A) LIMIT or prohibit the placement of structures of any
10 class or designate their location with relation to the water's

1 edge, to property or subdivision lines, and to flood flows. ~~and~~
2 ~~may limit~~

3 (B) LIMIT the subdivision of lands for platting purposes.

4 ~~It may control~~

5 (C) CONTROL the location and design of highways and roads
6 and of public utility transmission and distribution lines, except
7 on lands or other interests in real property owned by the utility
8 on January 1, 1971. ~~It may prohibit~~

9 (D) PROHIBIT or limit the cutting of trees or other vegeta-
10 tion ~~, but such limits shall not apply for a distance of~~ WITHIN
11 NOT more than 100 feet from the river's edge. ~~It may~~
12 ~~specifically~~

13 (E) SPECIFICALLY prohibit or limit mining and drilling for
14 oil and gas ~~, but such limits shall not apply for a distance of~~
15 WITHIN NOT more than 300 feet from the river's edge. ~~It may~~
16 ~~contain~~

17 (F) CONTAIN other provisions necessary to accomplish the
18 objectives of this part.

19 (3) THE ZONING ORDINANCE OR ZONING RULE SHALL NOT PROHIBIT
20 ANY OF THE FOLLOWING ON PRIVATE PROPERTY:

21 (A) THE SANDING OF BEACHES.

22 (B) MOWING.

23 (C) WOOD, STONE, OR CEMENT WALKWAYS.

24 (D) GAZEBOS.

25 (E) ORNAMENTAL FLOWERS.

26 (4) A zoning rule promulgated by the department shall not
27 control lands more than 400 feet from the river's edge.