

SENATE BILL NO. 1268

September 16, 1998, Introduced by Senators JAYE, STILLE,
SCHWARZ and NORTH 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 may be encouraged, regulated, or prohibited.
5 It may limit or prohibit the placement of structures of any class
6 or designate their location with relation to the water's edge, to
7 property or subdivision lines, and to flood flows and may limit
8 the subdivision of lands for platting purposes. It may control
9 the location and design of highways and roads and of public
10 utility transmission and distribution lines, except on lands or

1 other interests in real property owned by the utility on January
2 1, 1971. It may prohibit or limit the cutting of trees or other
3 vegetation, but such limits shall not apply for a distance of
4 more than 100 feet from the river's edge. It may specifically
5 prohibit or limit mining and drilling for oil and gas, but such
6 limits shall not apply for a distance of more than 300 feet from
7 the river's edge. It may contain other provisions necessary to
8 accomplish the objectives of this part.

9 (2) THE ZONING ORDINANCE OR ZONING RULE SHALL NOT PROHIBIT
10 ANY OF THE FOLLOWING ON PRIVATE PROPERTY:

11 (A) THE SANDING OF BEACHES.

12 (B) MOWING.

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

14 (D) GAZEBO'S.

15 (E) DOMESTIC FLOWERS.

16 (3) A zoning rule promulgated by the department shall not
17 control lands more than 400 feet from the river's edge.