

ZA 2010 - 08, amend the wording of the zoning ordinance that identifies statutory references to state zoning enabling legislation by correcting such references to “Michigan Zoning Enabling Act, PA 110 of 2006, as amended” or similar language and by correcting zoning provisions as required under said Act, and amend the zoning ordinance by adding language that limits uses of land within all zoning districts to those uses allowed under local, State and Federal law, as provided herein.

Article I -Title, Preamble, Enacting Clause and Short Title

Sec. 1.01 Title:

Amend by adding to current language (add new paragraph after current language):

Legal Basis: The Ordinance is enacted pursuant to P.A. 183 of 1943, as amended, being the County Zoning Act, M.C.L. 125.201 et seq. The continue administration of this Ordinance, amendments to this Ordinance, and all other matters concerning operation of this ordinance shall be done pursuant to P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling Act, M.D. L. 125.3103 et seq, hereinafter referred to as the “Zoning Act”.

Article IV. Agricultural District

Section 4.01 Intent and Purpose

Amend by adding to current language (place at end of section):

Uses within the Agricultural District shall be limited to those (uses) allowed under local, State and Federal law.

Section 4.03 Uses Authorized After Special Approval.

Amend by revising as follows:

In Agricultural Districts, the following uses shall be permitted , subject to conditions hereinafter imposed for each use and subject further to the review and approval of the Planning Commission pursuant to Article XV. of the Ordinance and ***the Michigan Zoning Enabling Act, as amended.*** Minimum yard setbacks of the AGR Agricultural District shall apply for all uses ***unless otherwise stated.***

Article V. R-1 and R-2 Single Family Residential Districts.

Section 5.01 Intent and Purpose.

Amend by adding to current language (place at end of section):

Uses in the R-1 and R-2 Single Family Residential Districts shall be limited to uses allowed under local, State and Federal law.

Section 5.03 Uses Authorized After Special Approval.

Amend by revising as follows:

In R-1 and R-2 Single Family Residential Districts, the following uses shall be permitted ,

subject to conditions hereinafter imposed for each use and subject further to the review and approval of the Planning Commission pursuant to Article XV. of the Ordinance and ***the Michigan Zoning Enabling Act, as amended.***

Article VI. RM-1 Multiple-Family Residential District.

Section 6.01 Intent and Purpose.

Amend by adding to the current language (place at end of section):

Uses in the RM-1 Multiple-Family Residential District shall be limited to uses allowed under local, State and Federal law.

Section 6.03 Uses Authorized After Special Approval.

Amend by revising to read as follows:

In the Multiple Family Residential Districts, the following uses shall be permitted subject to the conditions hereinafter imposed for each use and subject further to review and approval of the Planning Commission pursuant to the provisions of the ***Michigan Zoning Enabling Act, as amended,*** and Article XV of this Ordinance.

Article VII. BUS General Business District.

Section 7.01. Intent and Purpose.

Amend by adding to the current language (place at end of section):

Uses in the General Business District shall be limited to uses allowed under local, State and Federal law.

Section 7.03 Uses Authorized After Special Approval.

Amend by revising to read as follows:

In the General Business District, the following uses shall be permitted subject to the conditions hereinafter imposed for each use and subject further to review and approval of the Planning Commission pursuant to the provisions of the ***Michigan Zoning Enabling Act, as amended,*** and Article XV of this Ordinance.

Article VII. IND. General Business District

Section 8.01 Intent and Purpose

Amend by adding to the current language (place at end of section):

Uses in the General Industrial District shall be limited to uses allowed under local, State and Federal law.

Section 8.03. Uses Authorized by Special Approval.

Amend by revising to read as follows:

In the General Industrial District, the following uses shall be permitted subject to the conditions hereinafter imposed for each use and subject further to review and approval of the Planning Commission pursuant to the provisions of the *Michigan Zoning Enabling Act, as amended*, and Article XV of this Ordinance.

Article XIV. General Provisions

Section 14.03 Nonconforming Uses, Buildings, Structures, or Parcels.
Amend by adding the following general language:

All nonconforming uses, buildings, structures or parcels shall be administered pursuant to the Michigan Zoning Enabling Act, as amended.

Section 14.03 (9) County zoning of townships previously zoned.
Amend by revising to read as follows:

Whenever a Township within Huron County elects to rescind zoning regulations developed in accordance the provisions of P.A. 184 of 1943, as amended, ***or PA 110 of 2006, as amended (being the Michigan Zoning Enabling Act)***, and formally requests that such territory be regulated by the provisions of this ordinance, the Huron County Planning Commission shall accommodate such request, including the establishment of zoning district boundaries. The effective date of all amendatory actions to the zoning Ordinance of Huron County shall correspond with effective dates of all actions performed by the township to rescind local zoning regulations. ***Amendments to either ordinance (township or county) shall be done pursuant to provisions of the Michigan Zoning Enabling Act, as amended.***

Section 14.28 (7)
Amend by replacing "PA 183 of 1943" with ***the Michigan Zoning Enabling Act, as amended.***

Article XV. Special Approval Use Permits

Section 15.01 Special Approval Use Permits - Approval Procedures.
Amend Sec. 15.01 by replacing the legislative authority to: **the Michigan Zoning Enabling Act, as amended.** (5th paragraph of Sec. 15.01)

Article XVIII. Planning Commission

Section 18.01 County Planning Commission.
Amend Sec. 18.01 by revising to read as follows:

The Huron County Planning Commission was initially established as specified in Section 2 of Act 282 of the Public Acts of 1945, as amended, being the County Rural Zoning Act. All powers, duties and responsibilities, provided by Act 183 of the Public Acts of 1943, as amended, being the County Zoning Enabling Act for zoning commissions created thereunder, were transferred to the Planning Commission by resolution of the county Board of Commissioners as provided in Section 6 (2) of Act 282 of the Public Acts of 1945, as amended. The powers, duties

and limitations of the Planning Commission is continued under PA 33 of 2008, being the Michigan Planning Enabling Act.

Section 18.02 Membership, Compensation and Funding

Amend Sec. 18.02 (A) by revising portions of the current text, as follows:

(A) The Planning commission shall consist of nine (9) members who shall individually be representative of important segments of the economic, governmental, social life, and development of the county, in accordance with the major interests as they existing in the county, such as agriculture, recreation, education, government, transportation, industry and commerce. The membership shall also be representative of the entire geography of the county to the extent practicable.

Every reasonable effort to ensure that the membership of the planning commission includes a member of a public school board or an administrative employee of a school district included, in who or in part, with the county's boundaries.

A majority of commission members shall not hold another office or position in county government. Up to three (3) members may be members of the county board of commissioners and serve ex officio. The terms of each appointed member shall be for 3 years, except that upon first appointment of the membership by the board, terms of office may be varied to permit the establishment of overlapping terms of office and the terms of ex officio members shall correspond to their respective official tenures or as may be determined by the county board. The county board of commissioners shall provide for the filling of a vacancy in the membership of the commission for the unexpired terms and may remove a member for nonperformance of duty or misconduct upon public hearing.

(B) No revision or amendment proposed.

(C) No revision or amendment proposed.

(D) No revision or amendment proposed.

Section 18.04. Development Plans; Duties of Commission; Coordinating Agency; Zoning Plan.

Revise by amending subsection (a) by revising to read as follows:

(a) A zone plan for the county outside of the limits of cities and village, which plan shall be based upon an inventory of conditions pertinent to zoning in the county and the requirements of the PA 110, as amended, being the Michigan Zoning Enabling Act, and PA 33 of 2008, being the Michigan Planning Enabling Act.

Section 18.05. Zoning Amendments.

Amendment Sec. 18.05 by revising to read as follows:

The Huron County Board of Commissioners may from time to time, on the recommendation from the Planning Commission or on petition, amend, supplement or change the District Boundaries or the regulations herein, or subsequently established herein pursuant to the authority and procedure established under the *Michigan Zoning Enabling Act, as amended*.

Section 18.06 Approval of Public Improvements.

Amend by repealing Sec. 18.06 (may be authorized in Planning Commission ordinance)

Section 18.07. Special Approval Use Permits.

Amend by replacing legislative authority language to: *the Michigan Zoning Enabling Act, as amended.*

Article XIX. Board of Zoning Appeals.

Section 19.01 Creation and Membership.

Amend Sec. 19.01 by revising legislative authority to *Act 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act.*

Section 19.08 Notice.

Amend by revising legislative authority to **PA 110 of 2006, as amend.**

Article XXIV Effective Date.

Amend by revising Art. XXIV to read as follows:

Public hearing(s) have been held on this amendatory ordinance as noted herein; the provisions of this Ordinance, as revised and including noted amendment herein, are hereby given an effective date pursuant to provisions of PA 110 of 2006, as amended, being the Michigan Zoning Enabling Act.

Made and passed by the Board of Commissioners of the County of Huron, Michigan on this _____ day of 20____.

1. Date of public hearing: _____.
2. Date of publication (of notice): _____.
3. Date of adoption by Board of Commissioners: _____.
4. Date of ordinance publication: _____.
5. Effective date of ordinance: _____.