

# HOUSE BILL No. 6028

September 15, 1998, Introduced by Rep. Martinez and referred to the Committee on Urban Policy and Economic Development.

A bill to amend 1943 PA 184, entitled "Townships zoning act," by amending section 40 (MCL 125.310), as added by 1996 PA 570, and by adding section 1b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 1B. AN ORDINANCE MAY REQUIRE OR PROVIDE INCENTIVES FOR  
2 THE OWNER OR OPERATOR OF A PROPOSED HOUSING DEVELOPMENT PROJECT  
3 OF MORE THAN 50 DWELLING UNITS TO DO EITHER OF THE FOLLOWING:

4        (A) OFFER UP TO 25% OF THE DWELLING UNITS AS LOW OR MODERATE  
5 INCOME HOUSING.

6        (B) OFFER UP TO 20% OF THE DWELLING UNITS AS LOW OR MODERATE  
7 INCOME HOUSING AND UP TO 5% OF THE DWELLING UNITS AS VERY LOW  
8 INCOME HOUSING.

9        Sec. 40. (1) As used in this act:

1 (a) "Agricultural land" means substantially undeveloped land  
2 devoted to the production of plants and animals useful to humans,  
3 including forage and sod crops; grains, feed crops, and field  
4 crops; dairy and dairy products; poultry and poultry products;  
5 livestock, including breeding and grazing of cattle, swine, and  
6 similar animals; berries; herbs; flowers; seeds; grasses; nursery  
7 stock; fruits; vegetables; Christmas trees; and other similar  
8 uses and activities.

9 (B) "AREA MEDIAN INCOME" MEANS THE MEDIAN INCOME FOR AN AREA  
10 AS DETERMINED UNDER SECTION 3 OF TITLE I OF THE UNITED STATES  
11 HOUSING ACT OF 1937, CHAPTER 896, 88 STAT. 654, 42 U.S.C. 1437a.

12 (C) ~~(b)~~ "Development rights" means the rights to develop  
13 land to the maximum intensity of development authorized by law.

14 (D) ~~(c)~~ "Development rights ordinance" means an ordinance,  
15 which may comprise part of a zoning ordinance, adopted under  
16 section 31.

17 (E) "HOUSING DEVELOPMENT PROJECT" MEANS A MOBILE HOME PARK,  
18 SUBDIVISION, APARTMENT HOUSE OR APARTMENT COMPLEX, HOUSING COOP-  
19 ERATIVE, OR CONDOMINIUM PROJECT FOR RESIDENTIAL USE.

20 (F) ~~(d)~~ "Intensity of development" means the height, bulk,  
21 area, density, setback, use, and other similar characteristics of  
22 development.

23 (G) "LOW OR MODERATE INCOME HOUSING" MEANS A DWELLING UNIT  
24 RESERVED FOR INDIVIDUALS OR FAMILIES WHOSE INDIVIDUAL OR FAMILY  
25 INCOME IS MORE THAN 60% BUT NOT MORE THAN 115% OF AREA MEDIAN  
26 INCOME.

1           (H) ~~(e)~~ "Other eligible land" means land that has a common  
2 property line with agricultural land from which development  
3 rights have been purchased and that is not divided from that  
4 agricultural land by a state or federal limited access highway.

5           (I) ~~(f)~~ "PDR program" means a program under section 32 for  
6 the purchase of development rights by a township.

7           (J) "VERY LOW INCOME HOUSING" MEANS A DWELLING UNIT RESERVED  
8 FOR INDIVIDUALS OR FAMILIES WHOSE INDIVIDUAL OR FAMILY INCOME IS  
9 60% OR LESS OF AREA MEDIAN INCOME.

10           (2) This act shall be known and may be cited as the  
11 "township zoning act".