

HOUSE BILL No. 6029

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

A bill to amend 1943 PA 183, entitled "County zoning act," by amending section 40 (MCL 125.240), as added by 1996 PA 569, 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 GREATER THAN 60% BUT NOT GREATER THAN 115% OF AREA
26 MEDIAN 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 county.

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 "county
11 zoning act".