

# HOUSE BILL No. 4919

July 2, 2003, Introduced by Reps. Hoogendyk, Shulman and Sheen and referred to the Committee on Land Use and Environment.

A bill to amend 1943 PA 184, entitled  
"Township zoning act,"  
(MCL 125.271 to 125.310) by adding section 16i.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 16i. (1) Beginning 1 year after the effective date of  
2 this section, each qualified township shall provide in its zoning  
3 ordinance for all of the following, with respect to at least 50%  
4 of the land that is zoned residential and that has not been  
5 developed as of the effective date of this section:

6           (a) That, at a minimum, the land may be developed at the  
7 following density, as applicable:

8           (i) If public water and public sewer are available or can be  
9 made available to the land, a maximum density of 8 dwelling units  
10 per acre.

11          (ii) If public water and public sewer are not available and

1 cannot be made available to the land, a maximum density of 1  
2 dwelling unit per acre.

3 (b) That the land may be developed, at the option of the land  
4 owner, with mixed uses that include residential use.

5 (c) That the land may be developed, at the option of the land  
6 owner, with cluster development.

7 (2) The development of land under subsection (1) is subject  
8 to other applicable ordinances, laws, and rules, including rules  
9 relating to suitability of groundwater for on-site water supply  
10 for land that neither is nor could be served by public water and  
11 rules relating to suitability of soils for on-site sewage  
12 disposal for land that neither is nor could be served by public  
13 sewers.

14 (3) A zoning ordinance amendment under this section is not  
15 subject to section 12.

16 (4) If a township violates this section, a person who owns  
17 land in the township, or an organization representing such  
18 persons, may bring an action against the township in circuit  
19 court for equitable relief. However, an action shall not be  
20 brought under this subsection unless the plaintiff has given at  
21 least 60 days' notice in writing of the plaintiff's intent to  
22 bring the action, and the relief to be requested, to the township  
23 clerk.

24 (5) As used in this section, "qualified township" means a  
25 township that meets all of the following requirements:

26 (a) Has adopted a zoning ordinance.

27 (b) Is located in a county with a population of 750,000 or

1 more.

2 (c) Has land that is not developed and that is zoned for  
3 residential development.