

SENATE BILL No. 620

July 16, 2003, Introduced by Senators BARCIA and KUIPERS and referred to the Committee on Natural Resources and Environmental Affairs.

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.