

SENATE BILL No. 248

February 21, 2001, Introduced by Senators SMITH, PETERS, DE BEAUSSAERT, BYRUM, LELAND, KOIVISTO, MURPHY, EMERSON, CHERRY, MC MANUS, SCHWARZ, GOUGEON, EMMONS, NORTH and MILLER and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1943 PA 183, entitled
"County zoning act,"
by amending section 40 (MCL 125.240), as amended by 2000 PA 385,
and by adding section 16h.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 16H. A GUEST HOUSE SHALL BE CONSIDERED A RESIDENTIAL
2 USE OF PROPERTY FOR THE PURPOSES OF ZONING AND A PERMITTED USE IN
3 ALL RESIDENTIAL ZONES, INCLUDING THOSE ZONED FOR SINGLE FAMILY
4 DWELLINGS, AND SHALL NOT BE SUBJECT TO A SPECIAL USE OR CONDI-
5 TIONAL USE PERMIT OR PROCEDURE DIFFERENT FROM THOSE REQUIRED FOR
6 OTHER DWELLINGS OF SIMILAR DENSITY IN THE SAME ZONE.

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

8 (a) "Agricultural land" means substantially undeveloped land
9 devoted to the production of plants and animals useful to humans,
10 including forage and sod crops; grains, feed crops, and field

1 crops; dairy ANIMALS and dairy products; poultry and poultry
2 products; livestock, including breeding and grazing of cattle,
3 swine, and similar animals; berries; herbs; flowers; seeds;
4 grasses; nursery stock; fruits; vegetables; Christmas trees; and
5 other similar uses and activities.

6 (b) "Development rights" means the rights to develop land to
7 the maximum intensity of development authorized by law.

8 (c) "Development rights ordinance" means an ordinance, which
9 may comprise part of a zoning ordinance, adopted under
10 section 31.

11 (D) "GUEST HOUSE" MEANS A SINGLE UNIT DWELLING THAT IS
12 LOCATED ON A PARCEL OF PROPERTY OF NOT LESS THAN 1 ACRE IN SIZE
13 AND THAT IS USED AS A TEMPORARY RESIDENCE FOR FAMILY MEMBERS OF
14 PERSONS PERMANENTLY RESIDING IN ANOTHER SINGLE UNIT DWELLING ON
15 THE SAME PARCEL.

16 (E) ~~-(d)-~~ "Intensity of development" means the height, bulk,
17 area, density, setback, use, and other similar characteristics of
18 development.

19 (F) ~~-(e)-~~ "Other eligible land" means land that has a common
20 property line with agricultural land from which development
21 rights have been purchased and that is not divided from that
22 agricultural land by a state or federal limited access highway.

23 (G) ~~-(f)-~~ "PDR program" means a program under section 32 for
24 the purchase of development rights by a county.

25 (2) This act shall be known and may be cited as the "county
26 zoning act".