

COUNTY ZONING ACT (EXCERPT)
Act 183 of 1943

***** 125.231 THIS SECTION IS REPEALED BY ACT 110 OF 2006 EFFECTIVE JULY 1, 2006 *****

125.231 Adoption of development rights ordinance; establishment, financing, and administration of purchase of development rights program; limitation; use; scope; separate ordinance; agreements between counties, cities, villages, and townships.

Sec. 31. (1) The county board of commissioners of a county may adopt a development rights ordinance limited to the establishment, financing, and administration of a PDR program, as provided under this section and sections 32 and 33. The PDR program may be used only to protect agricultural land and other eligible land. This section and sections 32 and 33 do not expand the condemnation authority of a county as otherwise provided for in this act. A PDR program shall not acquire development rights by condemnation. This section and sections 32 and 33 do not limit any authority that may otherwise be provided by law for a county to protect natural resources, preserve open space, provide for historic preservation, or accomplish similar purposes.

(2) A county shall not establish, finance, or administer a PDR program unless the county board of commissioners adopts a development rights ordinance. If the county has a zoning ordinance, the development rights ordinance may be adopted as part of the zoning ordinance pursuant to the procedures governing adoption of a zoning ordinance set forth in this act. Whether or not the county has a zoning ordinance, the development rights ordinance may be adopted as a separate ordinance pursuant to the procedures governing ordinance adoption in general.

(3) A county board of commissioners may promote and enter into agreements between counties, cities, villages, and townships for the purchase of development rights, including cross-jurisdictional purchase, subject to applicable development rights ordinances of counties and similar ordinances of cities, villages, and townships.

History: 1943, Act 183, Imd. Eff. Apr. 17, 1943;—CL 1948, 125.231;—Am. 1996, Act 569, Eff. Mar. 31, 1997.