

TOWNSHIP ZONING ACT (EXCERPT)
Act 184 of 1943

***** 125.302 THIS SECTION IS REPEALED BY ACT 110 OF 2006 EFFECTIVE JULY 1, 2006 *****

125.302 Development rights ordinance providing for PDR program; specifications; consistency with plan; conveyance; notice of application for purchase of development rights.

Sec. 32. (1) A development rights ordinance shall provide for a PDR program. Under a PDR program, the township purchases development rights, but only from a willing landowner. A development rights ordinance providing for a PDR program shall specify all of the following:

- (a) The public benefits that the township may seek through the purchase of development rights.
 - (b) The procedure by which the township or a landowner may by application initiate a purchase of development rights.
 - (c) The development rights authorized to be purchased subject to a determination under standards and procedures required by subdivision (d).
 - (d) The standards and procedure to be followed by the township board for approving, modifying, or rejecting an application to purchase development rights including the determination of all of the following:
 - (i) Whether to purchase development rights.
 - (ii) Which development rights to purchase.
 - (iii) The intensity of development permitted after the purchase on the land from which the development rights are purchased.
 - (iv) The price at which development rights will be purchased and the method of payment.
 - (v) The procedure for ensuring that the purchase or sale of development rights is legally fixed so as to run with the land.
 - (e) The circumstances under which an owner of land from which development rights have been purchased under a PDR program may repurchase those development rights and how the proceeds of the purchase are to be used by the township.
- (2) If the township has a zoning ordinance, the purchase of development rights shall be consistent with the plan referred to in section 3 upon which the zoning ordinance is based.
- (3) Development rights acquired under a PDR program may be conveyed only as provided pursuant to subsection (1)(e).
- (4) The township shall notify each village in which is located land from which development rights are proposed to be purchased of the receipt of an application for the purchase of development rights and shall notify each such village of the disposition of that application.

History: Add. 1996, Act 570, Eff. Mar. 31, 1997.