

CITY AND VILLAGE ZONING ACT (EXCERPT)
Act 207 of 1921

***** 125.594 THIS SECTION IS REPEALED BY ACT 110 OF 2006 EFFECTIVE JULY 1, 2006 *****

125.594 Development rights ordinance providing for PDR program; specifications; consistency with plan; conveyance.

Sec. 14. (1) A development rights ordinance shall provide for a PDR program. Under a PDR program, the city or village 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 city or village may seek through the purchase of development rights.
 - (b) The procedure by which the city or village 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 legislative body of the city or village 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 city or village.
- (2) If the city or village has a zoning ordinance, the purchase of development rights shall be consistent with the plan referred to in section 1 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).

History: Add. 1996, Act 571, Eff. Mar. 31, 1997.