

SENATE BILL No. 247

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 184, entitled
"Township zoning act,"
by amending section 40 (MCL 125.310), as amended by 2000 PA 384,
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) "Airport" means an airport licensed by the Michigan
7 department of transportation, bureau of aeronautics under section
8 86 of the aeronautics code of the state of Michigan, 1945 PA 327,
9 MCL 259.86.

10 (c) "Airport approach plan" means a plan, or an amendment to
11 a plan, adopted under section 12 of the airport zoning act, 1950
12 (Ex Sess) PA 23, MCL 259.442, and filed with the township zoning
13 board under section 151 of the aeronautics code of the state of
14 Michigan, 1945 PA 327, MCL 259.151.

15 (d) "Airport layout plan" means a plan, or an amendment to a
16 plan, that shows current or proposed layout of an airport, that
17 is approved by the Michigan aeronautics commission, and that is
18 filed with the township zoning board under section 151 of the
19 aeronautics code of the state of Michigan, 1945 PA 327,
20 MCL 259.151.

21 (e) "Airport manager" means that term as defined in section
22 10 of the aeronautics code of the state of Michigan, 1945 PA 327,
23 MCL 259.10.

24 (f) "Airport zoning regulations" means airport zoning regu-
25 lations under the airport zoning act, 1950 (Ex Sess) PA 23,
26 MCL 259.431 to 259.465, for an airport hazard area that lies in

1 whole or part in the area affected by a zoning ordinance under
2 this act.

3 (g) "Development rights" means the rights to develop land to
4 the maximum intensity of development authorized by law.

5 (h) "Development rights ordinance" means an ordinance, which
6 may comprise part of a zoning ordinance, adopted under
7 section 31.

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

13 (J) ~~(i)~~ "Intensity of development" means the height, bulk,
14 area, density, setback, use, and other similar characteristics of
15 development.

16 (K) ~~(j)~~ "Other eligible land" means land that has a common
17 property line with agricultural land from which development
18 rights have been purchased and that is not divided from that
19 agricultural land by a state or federal limited access highway.

20 (l) ~~(k)~~ "PDR program" means a program under section 32 for
21 the purchase of development rights by a township.

22 (2) This act shall be known and may be cited as the
23 "township zoning act".