

SENATE BILL No. 333

May 23, 1991, Introduced by Senator N. SMITH and referred to the Committee on Agriculture and Forestry.

A bill to amend sections 11 and 12 of Act No. 116 of the Public Acts of 1974, entitled "Farmland and open space preservation act," section 12 as amended by Act No. 148 of the Public Acts of 1980, being sections 554.711 and 554.712 of the Michigan Compiled Laws; and to add section 12a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 11 and 12 of Act No. 116 of the Public
2 Acts of 1974, section 12 as amended by Act No. 148 of the Public
3 Acts of 1980, being sections 554.711 and 554.712 of the Michigan
4 Compiled Laws, are amended and section 12a is added to read as
5 follows:

6 Sec. 11. (1) Land subject to a development rights agreement
7 or easement may be sold without penalty under sections 12, 13,
8 and 14, if the use of the land by the successor in title complies

1 with the provisions contained in the development rights agreement
2 or easement. The seller shall notify the governmental authority
3 having jurisdiction over the development rights of the change in
4 ownership.

5 (2) When the owner of land subject to a development rights
6 agreement or easement dies or is totally and permanently disabled
7 OR WHEN THE SPOUSE OF THE OWNER OR A CHILD OF THE OWNER DIES OR
8 IS TOTALLY AND PERMANENTLY DISABLED, the land ~~may~~ SHALL be
9 released, UPON REQUEST, from the program under this act and
10 ~~shall be~~ IS subject to a proration pursuant to sections ~~12(7)~~
11 12(8), 13(7), and 14(7).

12 Sec. 12. (1) A development rights agreement shall be relin-
13 quished by the state at the expiration of the term of the agree-
14 ment unless renewed with the consent of the owner of the land.
15 If the owner of the land has complied with the requirements of
16 this act regarding development rights agreements, the owner
17 ~~shall be~~ IS entitled to automatic renewal of the agreement upon
18 written request of the ~~landowner~~ OWNER.

19 (2) A development rights agreement may be relinquished by
20 the state prior to a termination date contained in the instrument
21 ~~as follows~~ UNDER EITHER OF THE FOLLOWING CIRCUMSTANCES:

22 (a) ~~At any time the~~ THE state determines that the develop-
23 ment of the land is in the public interest and ~~in agreement~~
24 ~~with~~ the owner of the land AGREES.

25 (b) The owner of the land ~~may submit~~ SUBMITS an applica-
26 tion to the local governing body having jurisdiction under this
27 act requesting that the development rights agreement be

1 relinquished. The application shall be made on a form prescribed
2 by the state land use agency. The request for relinquishment
3 shall be processed UNDER, and ~~shall be~~ IS subject to SUBSECTION
4 (3) AND TO the ~~same~~ provisions ~~as~~ provided ~~for~~ in section 5
5 for review and approval.

6 (3) THE LOCAL GOVERNING BODY HAVING JURISDICTION UNDER THIS
7 ACT OR THE STATE LAND USE AGENCY SHALL APPROVE A REQUEST FOR THE
8 RELINQUISHMENT OF A DEVELOPMENT RIGHTS AGREEMENT MADE PURSUANT TO
9 SUBSECTION (2)(B) IF IT DETERMINES THAT 1 OR BOTH OF THE FOLLOW-
10 ING APPLY:

11 (A) AN AGRICULTURAL USE OF THE LAND SUBJECT TO THE AGREEMENT
12 IS NOT ECONOMICALLY VIABLE. THE POTENTIAL USES OF THE LAND THAT
13 ARE NOT AGRICULTURAL USES AND THAT COULD PROVIDE A HIGHER RETURN
14 ON INVESTMENT OR A LARGER INCOME FOR THE OWNER OF THE LAND SHALL
15 NOT BE CONSIDERED BY THE LOCAL GOVERNING BODY OR THE STATE LAND
16 USE AGENCY WHEN DETERMINING WHETHER AN AGRICULTURAL USE OF THE
17 LAND IS ECONOMICALLY VIABLE.

18 (B) BECAUSE OF A CHANGE IN CIRCUMSTANCES BEYOND THE CONTROL
19 OF THE OWNER OF THE LAND, IT WOULD BE A HARDSHIP FOR THE OWNER TO
20 CONTINUE TO BE ACTIVELY INVOLVED IN A FAMILY OPERATED FARMING
21 OPERATION.

22 (4) ~~-(3)-~~ If the request for relinquishment of the develop-
23 ment rights agreement is approved, the state land use agency
24 shall prepare an instrument, subject to subsections ~~-(4)-~~ (5),
25 (6), ~~and~~ (7), AND (8), and shall record it with the register of
26 deeds of the county in which the land is situated.

1 (5) ~~-(4) At the time-~~ WHEN a development rights agreement is
2 ~~to be~~ relinquished pursuant to subsection (2)(b), the state
3 land use agency shall ~~cause to be prepared and recorded-~~ RECORD
4 a lien against the property formerly subject to the development
5 rights agreement for the total amount of the credit ~~in-~~ AGAINST
6 the state income tax received by the owner under section 10, LESS
7 ANY AMOUNT PAID TO THE STATE PURSUANT TO SECTION 12A(12). The
8 lien shall provide that interest at the rate of 6% per annum com-
9 pounded shall be added to THE AMOUNT OF the credit from the time
10 the credit AMOUNT was received until it is paid.

11 (6) ~~-(5)-~~ The lien may be paid and discharged at any time
12 and ~~shall become~~ IS payable to the state by the owner of record
13 at the time the land or any portion of it is sold by the owner of
14 record, or if the land is converted to a use prohibited by the
15 former development rights agreement. The lien shall be dis-
16 charged upon renewal or reentry in a development rights agree-
17 ment, except that a subsequent lien shall not be less than the
18 lien discharged IF THE DEVELOPMENT RIGHTS AGREEMENT THAT IS
19 RENEWED OR REENTERED IS SUBSEQUENTLY RELINQUISHED PURSUANT TO
20 SUBSECTION (2)(B). The proceeds from the payment shall be used
21 to purchase development rights on land ~~which is deemed~~ THAT IS
22 CONSIDERED by the state land use agency to be a unique or criti-
23 cal land area that should be preserved in its natural character,
24 but which does not necessitate direct purchase of the fee inter-
25 est in the land.

1 (7) ~~-(6)-~~ Upon termination of the development rights
 2 agreement pursuant to subsection (2)(a), the development rights
 3 shall revert back to the owner without penalty or interest.

4 (8) ~~-(7)-~~ Upon the natural termination of the development
 5 rights agreement pursuant to subsection (1), the state land use
 6 agency shall ~~cause to be prepared and recorded~~ RECORD a lien
 7 against the property formerly subject to the development rights
 8 agreement for the total amount of the credit ~~in~~ AGAINST the
 9 state income tax ~~of~~ FOR the last 7 years received by the owner
 10 under section 10, LESS ANY AMOUNT PAID TO THE STATE PURSUANT TO
 11 SECTION 12A(12). The lien ~~shall be~~ IS without interest or pen-
 12 alty and ~~shall be~~ IS payable subject to subsection ~~-(5)-~~ (6).
 13 UPON THE EXPIRATION OF 7 YEARS AFTER THE DATE OF THE NATURAL TER-
 14 MINATION OF THE DEVELOPMENT RIGHTS AGREEMENT PURSUANT TO SUBSEC-
 15 TION (1), IF THE LIEN RECORDED PURSUANT TO THIS SUBSECTION HAS
 16 NOT BECOME PAYABLE TO THE STATE AS PROVIDED IN SUBSECTION (6),
 17 THE STATE LAND USE AGENCY SHALL RECORD A DISCHARGE OF THE LIEN.

18 (9) ~~-(8)-~~ Upon termination, the state land use agency shall
 19 notify the department of treasury for their records.

20 SEC. 12A. (1) NOTWITHSTANDING SECTIONS 5 AND 12, THE STATE
 21 LAND USE AGENCY SHALL APPROVE AN AMENDMENT TO A DEVELOPMENT
 22 RIGHTS AGREEMENT TO ALLOW THE OWNER OF LAND SUBJECT TO THE AGREE-
 23 MENT TO REMOVE A PORTION OF THE LAND FROM THE AGREEMENT AND SUB-
 24 STITUTE OTHER LAND INTO THE AGREEMENT AS PROVIDED IN THIS
 25 SECTION. LAND THAT IS REMOVED FROM A DEVELOPMENT RIGHTS AGREE-
 26 MENT AS PROVIDED IN THIS SECTION IS NOT SUBJECT TO THE AGREEMENT
 27 OR THIS ACT. LAND THAT IS SUBSTITUTED INTO A DEVELOPMENT RIGHTS

1 AGREEMENT AS PROVIDED IN THIS SECTION IS SUBJECT TO THE AGREEMENT
2 AND THIS ACT.

3 (2) AN OWNER OF LAND SUBJECT TO A DEVELOPMENT RIGHTS AGREE-
4 MENT DESIRING TO REMOVE A PORTION OF THE LAND FROM THE AGREEMENT
5 AND SUBSTITUTE OTHER LAND INTO THE AGREEMENT MAY APPLY FOR THE
6 SUBSTITUTION BY FILING AN APPLICATION WITH THE LOCAL GOVERNING
7 BODY HAVING JURISDICTION UNDER THIS ACT. THE APPLICATION SHALL
8 BE MADE ON A FORM PRESCRIBED BY THE STATE LAND USE AGENCY. THE
9 APPLICATION SHALL CONTAIN ALL OF THE FOLLOWING:

10 (A) INFORMATION REASONABLY NECESSARY TO PROPERLY CLASSIFY
11 THE LAND THAT THE OWNER IS SEEKING TO SUBSTITUTE INTO THE DEVEL-
12 OPMENT RIGHTS AGREEMENT AS FARMLAND.

13 (B) A LAND SURVEY OR A LEGAL DESCRIPTION OF THE LAND THAT
14 THE OWNER IS SEEKING TO REMOVE FROM THE DEVELOPMENT RIGHTS AGREE-
15 MENT AND OF THE LAND THAT THE OWNER IS SEEKING TO SUBSTITUTE INTO
16 THE DEVELOPMENT RIGHTS AGREEMENT.

17 (C) A MAP SHOWING THE SIGNIFICANT NATURAL FEATURES AND ALL
18 STRUCTURES AND PHYSICAL IMPROVEMENTS LOCATED ON THE LAND THAT THE
19 OWNER IS SEEKING TO REMOVE FROM THE DEVELOPMENT RIGHTS AGREEMENT
20 AND ON THE LAND THAT THE OWNER IS SEEKING TO SUBSTITUTE INTO THE
21 DEVELOPMENT RIGHTS AGREEMENT.

22 (D) THE SOIL CLASSIFICATION OF THE LAND THAT THE OWNER IS
23 SEEKING TO REMOVE FROM THE DEVELOPMENT RIGHTS AGREEMENT AND OF
24 THE LAND THAT THE OWNER IS SEEKING TO SUBSTITUTE INTO THE DEVEL-
25 OPMENT RIGHTS AGREEMENT IF KNOWN.

26 (3) UPON RECEIPT OF THE APPLICATION, THE LOCAL GOVERNING
27 BODY SHALL NOTIFY THE COUNTY PLANNING COMMISSION OR THE REGIONAL

1 PLANNING COMMISSION AND THE SOIL CONSERVATION DISTRICT AGENCY OF
2 THE APPLICATION. IF THE COUNTY HAS JURISDICTION, IT SHALL ALSO
3 NOTIFY THE TOWNSHIP BOARD OF THE TOWNSHIP IN WHICH THE LAND THAT
4 THE OWNER IS SEEKING TO REMOVE FROM THE DEVELOPMENT RIGHTS AGREE-
5 MENT IS SITUATED AND THE TOWNSHIP BOARD OF THE TOWNSHIP IN WHICH
6 THE LAND THAT THE OWNER IS SEEKING TO SUBSTITUTE INTO THE DEVEL-
7 OPMENT RIGHTS AGREEMENT IS SITUATED. IF THE LAND THAT THE OWNER
8 IS SEEKING TO REMOVE FROM THE DEVELOPMENT RIGHTS AGREEMENT OR THE
9 LAND THAT THE OWNER IS SEEKING TO SUBSTITUTE INTO THE DEVELOPMENT
10 RIGHTS AGREEMENT IS WITHIN 3 MILES OF THE BOUNDARY OF A CITY OR
11 WITHIN 1 MILE OF THE BOUNDARY OF A VILLAGE, THE COUNTY OR TOWN-
12 SHIP GOVERNING BODY HAVING JURISDICTION SHALL NOTIFY THE GOVERN-
13 ING BODY OF THE CITY OR VILLAGE.

14 (4) AN AGENCY OR LOCAL GOVERNING BODY RECEIVING NOTICE SHALL
15 HAVE 30 DAYS TO REVIEW, COMMENT, AND MAKE RECOMMENDATIONS TO THE
16 LOCAL GOVERNING BODY WITH WHOM THE APPLICATION IS FILED. THESE
17 REVIEWING AGENCIES AND LOCAL GOVERNING BODIES DO NOT HAVE
18 APPROVAL OR REJECTION POWER OVER THE APPLICATION.

19 (5) AFTER CONSIDERING THE COMMENTS AND RECOMMENDATIONS OF
20 THE REVIEWING AGENCIES AND LOCAL GOVERNING BODIES, THE LOCAL GOV-
21 ERNING BODY HOLDING THE APPLICATION SHALL APPROVE OR REJECT THE
22 APPLICATION WITHIN 45 DAYS AFTER THE APPLICATION IS RECEIVED,
23 UNLESS TIME IS EXTENDED BY MUTUAL AGREEMENT OF THE PARTIES
24 INVOLVED. THE LOCAL GOVERNING BODY'S APPROVAL OR REJECTION OF
25 THE APPLICATION SHALL BE BASED UPON, AND CONSISTENT WITH, SUBSEC-
26 TION (6) AND RULES PROMULGATED BY THE STATE LAND USE AGENCY
27 PURSUANT TO SECTION 17.

1 (6) THE LOCAL GOVERNING BODY HOLDING THE APPLICATION MAY
2 APPROVE THE APPLICATION TO ALLOW THE OWNER OF LAND SUBJECT TO A
3 DEVELOPMENT RIGHTS AGREEMENT TO REMOVE A PORTION OF THE LAND FROM
4 THE AGREEMENT AND SUBSTITUTE OTHER LAND INTO THE AGREEMENT IF ALL
5 OF THE FOLLOWING APPLY:

6 (A) THE LAND THAT THE OWNER IS SEEKING TO SUBSTITUTE INTO
7 THE AGREEMENT IS SITUATED WITHIN THE JURISDICTION OF THE LOCAL
8 GOVERNING BODY FROM WHICH THE LAND THE OWNER IS SEEKING TO REMOVE
9 FROM THE AGREEMENT IS SITUATED.

10 (B) THE LAND THAT THE OWNER IS SEEKING TO SUBSTITUTE INTO
11 THE AGREEMENT IS CONTIGUOUS, IF IT CONSISTS OF 2 OR MORE PARCELS
12 OF LAND.

13 (C) THE ACREAGE OF THE LAND THAT THE OWNER IS SEEKING TO
14 SUBSTITUTE INTO THE AGREEMENT IS EQUAL TO OR GREATER THAN THE
15 ACREAGE OF THE LAND THAT THE OWNER IS SEEKING TO REMOVE FROM THE
16 AGREEMENT. HOWEVER, IF THE LAND COVERED BY THE AGREEMENT IS
17 FARMLAND UNDER SECTION 2(6)(A), THE OWNER MUST REMOVE AND SUBSTI-
18 TUTE NOT LESS THAN 40 ACRES OF LAND.

19 (D) THAT AFTER THE LAND IS SUBSTITUTED INTO THE AGREEMENT,
20 THE AGREEMENT WILL REMAIN OTHERWISE UNCHANGED AND IN CONFORMANCE
21 WITH THE DEFINITION OF FARMLAND IN SECTION 2(6).

22 (7) IF AN APPLICATION TO AMEND A DEVELOPMENT RIGHTS AGREE-
23 MENT PURSUANT TO THIS SECTION IS APPROVED BY THE LOCAL GOVERNING
24 BODY HAVING JURISDICTION, A COPY, ALONG WITH THE COMMENTS AND
25 RECOMMENDATIONS OF THE REVIEWING BODIES, SHALL BE FORWARDED TO
26 THE STATE LAND USE AGENCY. THE APPLICATION SHALL CONTAIN A
27 STATEMENT FROM THE LOCAL ASSESSING OFFICER SPECIFYING THE CURRENT

1 FAIR MARKET VALUE OF THE LAND AND STRUCTURES THAT IS TO BE
2 SUBSTITUTED INTO THE DEVELOPMENT RIGHTS AGREEMENT IN COMPLIANCE
3 WITH THE AGRICULTURAL SECTION OF THE MICHIGAN STATE TAX COMMIS-
4 SION ASSESSOR MANUAL. IF ACTION IS NOT TAKEN BY THE LOCAL GOV-
5 ERNING BODY WITHIN THE TIME PRESCRIBED OR AGREED UPON, THE APPLI-
6 CANT MAY PROCEED AS PROVIDED IN SUBSECTION (8) AS IF THE APPLICA-
7 TION WAS REJECTED AND THE REJECTION WAS RECEIVED ON THE FINAL DAY
8 OF THE TIME PRESCRIBED OR AGREED UPON.

9 (8) IF THE APPLICATION TO AMEND A DEVELOPMENT RIGHTS AGREE-
10 MENT PURSUANT TO THIS SECTION IS REJECTED BY THE LOCAL GOVERNING
11 BODY WITHIN THE TIME PRESCRIBED OR AGREED UPON, IT SHALL RETURN
12 THE APPLICATION TO THE APPLICANT WITH A WRITTEN STATEMENT REGARD-
13 ING THE REASONS FOR REJECTION AND A WRITTEN STATEMENT INFORMING
14 THE APPLICANT OF THE RIGHT TO APPEAL THE DECISION TO THE STATE
15 LAND USE AGENCY AND A BRIEF EXPLANATION OF THE APPEALS PROCESS.
16 WITHIN 30 DAYS AFTER RECEIPT OF THE REJECTED APPLICATION, THE
17 APPLICANT MAY APPEAL THE REJECTION TO THE STATE LAND USE AGENCY.
18 THE STATE LAND USE AGENCY HAS 60 DAYS TO APPROVE OR REJECT THE
19 APPLICATION PURSUANT TO SUBSECTION (9).

20 (9) THE STATE LAND USE AGENCY, WITHIN 60 DAYS AFTER THE
21 APPLICATION TO AMEND A DEVELOPMENT RIGHTS AGREEMENT PURSUANT TO
22 THIS SECTION HAS BEEN RECEIVED, SHALL APPROVE OR REJECT THE
23 APPLICATION. THE STATE LAND USE AGENCY SHALL FORWARD A COPY OF
24 THE INFORMATION RECEIVED FROM THE LOCAL ASSESSING OFFICER AND A
25 COPY OF THE APPLICATION TO THE STATE TAX COMMISSION FOR ITS
26 REVIEW. THE STATE TAX COMMISSION SHALL MAKE ITS REVIEW,
27 INCLUDING PROPERTY DESCRIPTION AND VALUE VERIFICATION, AND SUBMIT

1 ITS COMMENTS TO THE STATE LAND USE AGENCY WITHIN 60 DAYS AFTER
2 RECEIPT OF THE APPLICATION. A REJECTION BY THE STATE LAND USE
3 AGENCY OF AN APPLICATION TO AMEND A DEVELOPMENT RIGHTS AGREEMENT
4 PURSUANT TO THIS SECTION THAT HAS BEEN APPROVED BY A LOCAL GOV-
5 ERNING BODY SHALL ONLY BE FOR NONCONFORMANCE WITH THE DEFINITION
6 OF FARMLAND IN SECTION 2(6). IF APPROVED BY THE STATE LAND USE
7 AGENCY, IT SHALL PREPARE AN AMENDMENT TO THE DEVELOPMENT RIGHTS
8 AGREEMENT WHICH INCLUDES THE FOLLOWING PROVISIONS REGARDING THE
9 LAND SUBSTITUTED INTO THE AGREEMENT:

10 (A) A STRUCTURE SHALL NOT BE BUILT ON THE LAND EXCEPT FOR
11 USE CONSISTENT WITH FARM OPERATIONS OR LINES FOR UTILITY TRANS-
12 MISSION OR DISTRIBUTION PURPOSES OR WITH THE APPROVAL OF THE
13 LOCAL GOVERNING BODY AND THE STATE LAND USE AGENCY.

14 (B) LAND IMPROVEMENTS SHALL NOT BE MADE EXCEPT FOR USE CON-
15 SISTENT WITH FARM OPERATIONS OR WITH THE APPROVAL OF THE LOCAL
16 GOVERNING BODY AND THE STATE LAND USE AGENCY.

17 (C) AN INTEREST IN THE LAND SHALL NOT BE SOLD EXCEPT A
18 SCENIC, ACCESS, OR UTILITY EASEMENT WHICH DOES NOT SUBSTANTIALLY
19 HINDER FARM OPERATIONS.

20 (D) PUBLIC ACCESS SHALL NOT BE PERMITTED ON THE LAND UNLESS
21 AGREED TO BY THE OWNER.

22 (E) ANY OTHER CONDITION AND RESTRICTION ON THE LAND AS
23 AGREED TO BY THE PARTIES THAT IS CONSIDERED NECESSARY TO PRESERVE
24 THE LAND OR APPROPRIATE PORTIONS OF IT AS FARMLAND.

25 (10) A COPY OF THE APPROVED APPLICATION AND THE AMENDMENT TO
26 THE DEVELOPMENT RIGHTS AGREEMENT SHALL BE FORWARDED TO THE
27 APPLICANT FOR EXECUTION. AN APPLICATION WHICH IS APPROVED BY THE

1 LOCAL GOVERNING BODY BY NOVEMBER 1 SHALL TAKE EFFECT FOR THE
2 CURRENT TAX YEAR.

3 (11) IF THE OWNER EXECUTES THE AMENDMENT TO THE DEVELOPMENT
4 RIGHTS AGREEMENT, THE OWNER SHALL RETURN IT TO THE STATE LAND USE
5 AGENCY FOR EXECUTION ON BEHALF OF THE STATE, SUBJECT TO
6 SUBSECTION (12). THE STATE LAND USE AGENCY SHALL RECORD THE EXE-
7 CUTED AMENDMENT TO THE DEVELOPMENT RIGHTS AGREEMENT WITH THE REG-
8 ISTER OF DEEDS OF THE COUNTY IN WHICH THE LAND IS SITUATED AND
9 NOTIFY THE APPLICANT, THE LOCAL GOVERNING BODY AND ITS ASSESSING
10 OFFICE, ALL REVIEWING AGENCIES, AND THE DEPARTMENT OF TREASURY.

11 (12) THE STATE LAND USE AGENCY SHALL NOT EXECUTE AN AMEND-
12 MENT TO A DEVELOPMENT RIGHTS AGREEMENT MADE PURSUANT TO THIS SEC-
13 TION UNTIL THE OWNER HAS PAID TO THE STATE AN AMOUNT EQUAL TO THE
14 TOTAL AMOUNT OF THE CREDIT IN THE STATE INCOME TAX THAT THE OWNER
15 HAS RECEIVED UNDER SECTION 10 MULTIPLIED BY THE PERCENTAGE OF THE
16 LAND THAT IS BEING REMOVED FROM THE AGREEMENT, PLUS INTEREST AT
17 THE RATE OF 6% PER ANNUM COMPOUNDED FROM THE TIME THE CREDIT WAS
18 RECEIVED UNTIL PAYMENT IS MADE TO THE STATE AS PROVIDED IN THIS
19 SECTION. THE PROCEEDS FROM THE PAYMENT SHALL BE USED BY THE
20 STATE FOR THE SAME PURPOSE AS THE PROCEEDS FROM PAYMENTS MADE
21 PURSUANT TO SECTION 12(6).

22 (13) IF AN APPLICATION TO AMEND A DEVELOPMENT RIGHTS AGREE-
23 MENT PURSUANT TO THIS SECTION IS REJECTED BY THE STATE LAND USE
24 AGENCY, IT SHALL NOTIFY THE AFFECTED LOCAL GOVERNING BODY, ALL
25 REVIEWING AGENCIES CONCERNED, AND THE APPLICANT WITH A WRITTEN
26 STATEMENT CONTAINING THE REASONS FOR REJECTION. THE STATE LAND
27 USE AGENCY SHALL ALSO PROVIDE THE APPLICANT WITH A WRITTEN

1 NOTIFICATION OF THE RIGHT TO APPEAL THE AGENCY'S DECISION
2 PURSUANT TO THIS SECTION AND A BRIEF EXPLANATION OF THE APPEALS
3 PROCESS UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT
4 NO. 306 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS 24.201 TO
5 24.328 OF THE MICHIGAN COMPILED LAWS. AN APPLICANT RECEIVING A
6 REJECTION FROM THE STATE LAND USE AGENCY MAY APPEAL THE REJECTION
7 PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT
8 NO. 306 OF THE PUBLIC ACTS OF 1969.

9 (14) AN APPLICANT MAY REAPPLY FOR AN AMENDMENT TO A DEVELOP-
10 MENT RIGHTS AGREEMENT PURSUANT TO THIS SECTION NOT LESS THAN
11 1 YEAR FOLLOWING THE MOST RECENT APPROVAL OR REJECTION OF THAT
12 PERSON'S APPLICATION FOR AN AMENDMENT TO THEIR DEVELOPMENT RIGHTS
13 AGREEMENT.

14 (15) BEFORE THE EXPIRATION OF 1 YEAR AFTER THE EFFECTIVE
15 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, THE STATE
16 LAND USE AGENCY SHALL PROMULGATE RULES PURSUANT TO SECTION 17 TO
17 IMPLEMENT THIS SECTION.