

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.36104a Permitted use; criteria; exception.

Sec. 36104a. (1) In determining whether a use is a permitted use, the state land use agency shall consider the following criteria:

- (a) Whether the use adversely affects the productivity of farmland or adversely affects the character of open space land.
 - (b) Whether the use materially alters or negatively affects the existing conditions or use of the land.
 - (c) Whether the use substantially alters the agricultural use of farmland subject to a development rights agreement or substantially alters the natural character of open space land subject to an open space easement.
 - (d) Whether the use results in a material alteration of an existing structure to a nonagricultural use.
 - (e) Whether the use conforms with all applicable federal, state, and local laws and ordinances.
- (2) Subsection (1) does not apply to a use authorized under section 36104c or 36104e.

History: Add. 1996, Act 233, Imd. Eff. June 5, 1996;—Am. 2023, Act 230, Eff. Feb. 13, 2024.

Popular name: Act 451

Popular name: Farmland and Open Space

Popular name: NREPA