



**House  
Legislative  
Analysis  
Section**

Olds Plaza Building, 10th Floor  
Lansing, Michigan 48909  
Phone: 517/373-6466

**BUILDING ON FLOODPLAINS**

**House Bills 4273 and 4274**

**Sponsor: Rep. Roland G. Niederstadt**

**Committee: Towns and Counties**

**Complete to 11-16-92**

**A SUMMARY OF HOUSE BILLS 4273-4274 AS INTRODUCED 2-15-91**

The bills would amend the Subdivision Control Act (MCL 560.105 et al. ) and Public Act 245 of 1929 (MCL 323.5b), which regulates the state's water resources, respectively, to permit residential development on lots on certain floodplains. The bills are tie-barred to each other.

Under the Subdivision Control Act, approval of preliminary and final plats are conditional upon compliance with certain rules, including those of the Water Resources Commission. House Bill 4273 would amend the act to provide an exception to this provision. Under the bill, the Department of Natural Resources (DNR) and the commission could not prohibit the development of a lot that was to be used for residential purposes, provided that:

- All other requirements of the law were met.
- The lot had a minimum buildable area of 3,000 square feet at a grade above the elevation defined as the floodplain limit. ("Grade" would be defined in the bill to mean the natural grade, plus any fill that had been added, as required by state and federal law).

House Bill 4274 would amend the act regulating public water resources to conform with the provisions of House Bill 4273.

House Bills 4273 and 4274 (11-16-92)