

Act No. 214
Public Acts of 1992
Approved by the Governor
October 8, 1992
Filed with the Secretary of State
October 9, 1992

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1992**

Introduced by Reps. Niederstadt, Bartnik, Pitoniak, Byrum, Baade, McNutt, Dobronski, Anthony, Middaugh and Dalman

ENROLLED HOUSE BILL No. 4447

AN ACT to amend sections 186 and 243 of Act No. 288 of the Public Acts of 1967, entitled as amended "An act to regulate the subdivision of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites and public improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained by subdividers prior to the recording and filing of plats; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts," being sections 560.186 and 560.243 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 186 and 243 of Act No. 288 of the Public Acts of 1967, being sections 560.186 and 560.243 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 186. (1) Except as otherwise provided in this section, as a condition of approval of the final plat, all lots and outlots subdivided as defined in section 102 shall comply with all of the following:

(a) Lots shall be numbered consecutively. If more than 1 subdivision is intended to be known by the same name or caption, the lots in those subdivisions shall be numbered consecutively throughout the several subdivisions bearing the same name.

(b) A residential lot shall not be less than 65 feet wide at the distance of 25 feet from its front line. If a lot diminishes in width from front to rear, it shall not be less than 65 feet wide at a distance of 50 feet from its front line.

(c) A residential lot shall not have an area of less than 12,000 square feet.

(d) If required by the governing body outlots designated on the plat shall be of a size, extent, and location that will not impair the intent of this act or any applicable municipal rules, regulations or policies for land development adopted and published by the governing body.

(e) Each lot and outlot shown on a plat shall have direct access to a street or road or assured permanent access is provided for in accordance with a local subdivision control ordinance or a zoning ordinance with subdivision control provisions.

(2) Minimum width and area requirements provided for in subsection (1) for residential lots may be waived in any subdivision if connection to a public water and a public sewer system is available and accessible or if the proprietor before approval of the plat posts security with the clerk of the municipality as provided in section 182, and if the municipality in which the subdivision is proposed has legally adopted zoning and subdivision control ordinances that include minimum lot width and lot area provisions for residential buildings.

(3) The minimum width and area requirements provided for in subsection (1) for a residential lot may be waived if all of the following requirements are met:

(a) The residential lot has a public sewer system available and accessible and the sewer system will serve that residential lot.

(b) The residential lot consists of an area of not less than 7,200 square feet.

(c) The municipality in which the subdivision is proposed has legally adopted zoning and subdivision control ordinances that include minimum lot width and lot area provisions for residential buildings.

(d) The ground water supply on that residential lot meets or exceeds the water supply rules of the department of public health for subdivisions not served by public water.

(e) Except for a plat approved pursuant to subsection (5), the plat for the proposed subdivision in which the residential lot is located is submitted to the state for final plat approval before January 1, 1993.

(4) Subsection (3) does not apply to a final plat approved after December 31, 1994.

(5) Notwithstanding subsection (4), a waiver shall be granted under subsection (3) for a plat that meets the criteria in subsection (3)(a) through (d) and is contiguous to and, since September 1, 1992 has been owned by the same person as a plat that has received a waiver under subsection (3).

(6) The register of deeds shall maintain the recorded plat pursuant to section 243.

Sec. 243. (1) The register of deeds shall maintain a permanent file of recorded plats.

(2) The expense of maintaining the file, such as for binders, cabinets, supplies, and reproduction pursuant to the records media act, Act No. 116 of the Public Acts of 1992, being sections 24.401 to 24.403 of the Michigan Compiled Laws, shall be provided from the general fund of the county.

(3) A fee of not less than \$1.00 per sheet shall be collected by the register of deeds for copies of plats recorded in his or her office.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved.....

Governor.