

HOUSE BILL No. 6104

September 22, 1992, Introduced by Rep. Robertson and referred to the Committee on Housing and Urban Affairs.

A bill to amend section 186 of Act No. 288 of the Public Acts of 1967, entitled as amended
"Subdivision control act of 1967,"
being section 560.186 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 186 of Act No. 288 of the Public Acts of
2 1967, being section 560.186 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 186. (1) ~~As~~ EXCEPT AS OTHERWISE PROVIDED IN THIS
5 SECTION, AS a condition of approval of the final plat, ~~the fol-~~
6 ~~lowing shall apply to~~ all lots and outlots subdivided as defined
7 in section 102 SHALL COMPLY WITH ALL OF THE FOLLOWING:

8 (a) Lots shall be numbered consecutively. If more than 1
9 subdivision is intended to be known by the same name or caption,

1 the lots in those subdivisions shall be numbered consecutively
2 throughout the several subdivisions bearing the same name.

3 (b) ~~No~~ A residential lot shall NOT be less than 65 feet
4 wide at the distance of 25 feet from its front line. If a lot
5 diminishes in width from front to rear, it shall NOT be ~~no~~ less
6 than 65 feet wide at a distance of 50 feet from its front line.

7 (c) ~~No~~ A residential lot shall NOT have an area of less
8 than 12,000 square feet.

9 ~~(d) Minimum width and area requirements for residential~~
10 ~~lots as set forth in this act may be waived in any subdivision~~
11 ~~where connection to a public water and a public sewer system is~~
12 ~~available and accessible or where the proprietor before approval~~
13 ~~of the plat has posted security with the clerk of the municipal~~
14 ~~ity as provided in section 182, and where the municipality in~~
15 ~~which the subdivision is proposed has legally adopted zoning and~~
16 ~~subdivision control ordinances which include minimum lot width~~
17 ~~and lot area provisions for residential buildings.~~

18 (D) ~~(c) The~~ IF REQUIRED BY THE governing body ~~may require~~
19 ~~that any~~ outlots designated on the plat SHALL be of ~~such~~ A
20 size, extent, and ~~in such~~ location ~~as~~ THAT will not impair
21 the intent of this act or ~~of any adopted and published~~ appli-
22 cable municipal rules, regulations or policies for land develop-
23 ment ADOPTED AND PUBLISHED BY THE GOVERNING BODY.

24 (E) ~~(f)~~ Each lot and outlot shown on a plat shall have
25 direct access to a street or road or assured permanent access is
26 provided for in accordance with a local subdivision control

1 ordinance or a zoning ordinance with subdivision control
2 provisions.

3 (2) MINIMUM WIDTH AND AREA REQUIREMENTS PROVIDED FOR IN
4 SUBSECTION (1) FOR RESIDENTIAL LOTS MAY BE WAIVED IN ANY SUBDIVI-
5 SION IF CONNECTION TO A PUBLIC WATER AND A PUBLIC SEWER SYSTEM IS
6 AVAILABLE AND ACCESSIBLE OR IF THE PROPRIETOR BEFORE APPROVAL OF
7 THE PLAT POSTS SECURITY WITH THE CLERK OF THE MUNICIPALITY AS
8 PROVIDED IN SECTION 182, AND IF THE MUNICIPALITY IN WHICH THE
9 SUBDIVISION IS PROPOSED HAS LEGALLY ADOPTED ZONING AND SUBDIVI-
10 SION CONTROL ORDINANCES THAT INCLUDE MINIMUM LOT WIDTH AND LOT
11 AREA PROVISIONS FOR RESIDENTIAL BUILDINGS.

12 (3) THE MINIMUM WIDTH AND AREA REQUIREMENTS PROVIDED FOR IN
13 SUBSECTION (1) FOR A RESIDENTIAL LOT MAY BE WAIVED IF ALL OF THE
14 FOLLOWING REQUIREMENTS ARE MET:

15 (A) THE RESIDENTIAL LOT HAS A PUBLIC SEWER SYSTEM AVAILABLE
16 AND ACCESSIBLE AND THE SEWER SYSTEM WILL SERVE THAT RESIDENTIAL
17 LOT.

18 (B) THE RESIDENTIAL LOT CONSISTS OF AN AREA OF NOT LESS THAN
19 7,200 SQUARE FEET.

20 (C) THE MUNICIPALITY IN WHICH THE SUBDIVISION IS PROPOSED
21 HAS LEGALLY ADOPTED ZONING AND SUBDIVISION CONTROL ORDINANCES
22 THAT INCLUDE MINIMUM LOT WIDTH AND LOT AREA PROVISIONS FOR RESI-
23 DENTIAL BUILDINGS.

24 (D) THE WATER SUPPLY ON THAT RESIDENTIAL LOT MEETS OR
25 EXCEEDS THE GROUNDWATER SUPPLY RULES OF THE DEPARTMENT OF PUBLIC
26 HEALTH FOR SUBDIVISIONS NOT SERVED BY PUBLIC WATER.

1 (E) EXCEPT FOR A PLAT APPROVED PURSUANT TO SUBSECTION (5),
2 THE PLAT FOR THE PROPOSED SUBDIVISION IN WHICH THE RESIDENTIAL
3 LOT IS LOCATED IS SUBMITTED TO THE STATE FOR FINAL PLAT APPROVAL
4 BEFORE JANUARY 1, 1993.

5 (4) SUBSECTION (3) DOES NOT APPLY TO A FINAL PLAT APPROVED
6 AFTER DECEMBER 31, 1994.

7 (5) NOTWITHSTANDING SUBSECTION (4), A WAIVER SHALL BE
8 GRANTED UNDER SUBSECTION (3) FOR A PLAT THAT MEETS THE CRITERIA
9 IN SUBSECTION (3)(A) THROUGH (D) AND IS CONTIGUOUS TO AND, SINCE
10 SEPTEMBER 1, 1992, HAS BEEN OWNED BY THE SAME PERSON AS A PLAT
11 THAT HAS RECEIVED A WAIVER UNDER SUBSECTION (3).