

PLAT APPROVAL PROCESS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 1416

Sponsor: Sen. Patricia L. Birkholz

Senate Committee: Natural Resources and Environmental Affairs

House Committee: Land Use and Environment

Complete to 12-6-04

A SUMMARY OF SENATE BILL 1416 AS REPORTED FROM COMMITTEE

The bill would amend the Land Division Act to revise (with the aim of streamlining) the procedures for the approval of a plat (a chart or map for the subdivision of land). The bill would take effect July 1, 2005. Under the act, a proprietor (developer) must obtain the approval of various local and state authorities, which must review and approve preliminary and final plats of a proposed subdivision.

(The authorities that must approve a preliminary plat include, if applicable, the county road commissioners, the county drain commissioner, the local health department, the Michigan Department of Transportation (MDOT), and the Department of Environmental Quality (DEQ). The authorities that must approve a final plat include the drain commissioner, the county road commissioners, the local governing body, the county plat board, and MDOT. The Department of Labor and Economic Growth (DLEG) must review the plat for conformity to the act.)

The bill would do the following:

- Allow a proprietor to submit a request to the county plat board for a pre-application review meeting with representatives of the municipality and representatives of each officer or agency entitled to review the preliminary plat. The purpose of the meeting would be to conduct an informal review of the proprietor's concept plan for the preliminary plat. The meeting would take place not later than 30 days after the written request and concept plan were received.
- Require a municipality to give a preliminary plat tentative approval within 60 days (rather than 90 days) after copies were filed, if a pre-application meeting were held. The 90-day deadline would apply in other cases.
- Provide for the various authorities to review a preliminary plat simultaneously (rather than sequentially).
- Require the proprietor to submit the authorities' written approval, rather than approved copies of the preliminary plat, to the local governing body.

-- Allow an authority to approve a preliminary plat "subject to conditions." (Currently, approval and rejection are the only options in statute.)

Currently, the proprietor must give five true copies of a final plat to each appropriate authority; the copies are passed from one authority to the next for approval or rejection; and the authorities certify their approval on the plat. The bill, instead, would require the proprietor to give each authority one true copy of a final plat for simultaneous review and action. The authorities would have to notify the proprietor of their approval; and the proprietor would be responsible for obtaining the certificate of approval on the final plat. The bill would retain the current time frames for the authorities to act.

MCL 560.111

FISCAL IMPACT:

Although this bill may require additional reviews by MDOT, DLEG, and DEQ, the fiscal impact on the State of Michigan is not significant or measurable. The option granted to proprietors to request a pre-application review by the county plat board may increase county costs slightly, but this amount is not determinable.

Legislative Analyst: J. Hunault
Fiscal Analyst: Richard Child

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.