

Legislative Analysis



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House Bill 5404

Sponsor: Rep. Dale Zorn

Committee: Local, Intergovernmental, and Regional Affairs

Complete to 3-14-12

A SUMMARY OF HOUSE BILL 5404 AS INTRODUCED 2-15-12

House Bill 5404 would amend the Land Division Act to prohibit a land division or land plat that isolates a cemetery so that it is not "accessible," as that term is defined in the act.

The Land Division Act sets out criteria that land divisions must meet. House Bill 5404 would retain all of these provisions, and add a new requirement: *that the land division does not isolate a cemetery so that it does not meet the requirements of either Section 102(j)(i) or (ii) of the act.*

The act also governs conditions for local approval of a final plat, for all public and private streets, alleys, and roads in its jurisdiction, and specifies conditions when a plat must be rejected. House Bill 5404 again would retain all of those conditions and would add that a plat must be rejected *if the plat isolates a cemetery so that it does not meet the requirements of either Section 102(j)(i) or (ii).*

Section 102(j) defines the term "accessible," and says that term, in reference to a parcel, means that the parcel meets one or both of the following requirements:

(i) Has an area where a driveway provides vehicular access to an existing road or street and meets all applicable location standards of the State Transportation Department or county road commission, and of the city or village, or has an area where a driveway can provide vehicular access to an existing road or street and meet all such applicable location standards.

(ii) Is served by an existing easement that provides vehicular access to an existing road or street and that meets all applicable location standards of the State Transportation Department or county road commission, and of the city or village, or can be served by a proposed easement that will provide vehicular access to an existing road or street and that will meet all such applicable location standards.

MCL 560.109 and 560.182

FISCAL IMPACT:

The bill is not expected to have a significant fiscal impact.

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