

SENATE BILL NO. 480

September 12, 2023, Introduced by Senator HERTEL and referred to the Committee on Local Government.

A bill to amend 1967 PA 288, entitled
"Land division act,"
by amending section 108 (MCL 560.108), as added by 1996 PA 591.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 108. (1) A division is not subject to the platting
2 requirements of this act.

3 (2) Subject to subsection (3), the division, together with any
4 previous divisions of the same parent parcel or parent tract, shall
5 result in a number of parcels not more than the sum of the
6 following, as applicable:

1 (a) For the first 10 acres or fraction thereof in the parent
2 parcel or parent tract, **420** parcels.

3 (b) For each whole 10 acres in excess of the first 10 acres in
4 the parent parcel or parent tract, 1 additional parcel, for up to a
5 maximum of 11 additional parcels.

6 (c) For each whole 40 acres in excess of the first 120 acres
7 in the parent parcel or parent tract, 1 additional parcel.

8 (3) For a parent parcel or parent tract of not less than 20
9 acres, the division may result in a total of 2 parcels in addition
10 to those permitted by subsection (2) if 1 or both of the following
11 apply:

12 (a) Because of the establishment of 1 or more new roads, no
13 new driveway accesses to an existing public road for any of the
14 resulting parcels under subsection (2) or this subsection are
15 created or required.

16 (b) One of the resulting parcels under subsection (2) and this
17 subsection comprises not less than 60% of the area of the parent
18 parcel or parent tract.

19 (4) A parcel of 40 acres or more created by the division of a
20 parent parcel or parent tract shall not be counted toward the
21 number of parcels permitted under subsections (2) and (3) and is
22 not subject to section 109, if the parcel is accessible.

23 (5) A parcel or tract created by an exempt split or a division
24 is not a new parent parcel or parent tract and may be further
25 partitioned or split without being subject to the platting
26 requirements of this act if all of the following requirements are
27 met:

28 (a) Not less than 10 years have elapsed since the parcel or
29 tract was recorded.

1 (b) The partitioning or splitting results in not more than the
2 following number of parcels, whichever is less:

3 (i) Two parcels for the first 10 acres or fraction thereof in
4 the parcel or tract plus 1 additional parcel for each whole 10
5 acres in excess of the first 10 acres in the parcel or tract.

6 (ii) Seven parcels or 10 parcels if one of the resulting
7 parcels under this subsection comprises not less than 60% of the
8 area of the parcel or tract being partitioned or split.

9 (c) The partitioning or splitting satisfies the requirements
10 of section 109.

11 **(6) If a parcel or tract created by an exempt split or**
12 **division has not at any time during the preceding 3 years been**
13 **farmland, as defined in section 36101 of the natural resources and**
14 **environmental protection act, 1994 PA 451, MCL 324.36101, a**
15 **municipality may by ordinance authorize the further partitioning or**
16 **splitting of the parcel or tract into a greater number of parcels**
17 **or tracts than otherwise authorized by this section.**

18 **(7) ~~(6)~~—A parcel or tract created under the provisions of**
19 **subsection (5) or of an ordinance described in subsection (6) may**
20 **not be further partitioned or split without being subject to the**
21 **platting requirements of this act, except in accordance with the**
22 **provisions of subsection (5) or of an ordinance described in**
23 **subsection (6).**