

CHARTER TOWNSHIP OF WILLIAMS

SUBDIVISION ORDINANCE NO. 48

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**WILLIAMS TOWNSHIP
SUBDIVISION ORDINANCE**

“An Ordinance to regulate the subdivision of land in the Charter Township of Williams; to promote the public health, safety and general welfare; to require and regulate the preparation and presentation of pre-preliminary, preliminary and final plats; to establish minimum subdivision requirements; to require minimum improvements to be made or guaranteed by the subdivider; to provide a procedure to be followed by the Williams Township Board and Williams Township Planning Commission in the application of the terms and provisions of this Ordinance; and to prescribe penalties for the violation of this Ordinance.”

BE IT ORDAINED by the Williams Township Board, Bay County, Michigan, as follows:

ARTICLE I

GENERAL PROVISIONS

Section 1.1 - Short Title

This Ordinance shall be known and may be cited as the “Williams Township Subdivision Ordinance.”

Section 1.2 - Purpose

The purpose of this Ordinance is to regulate and control the subdivision of land within the Township in order to promote the safety, public health and general welfare of the Township. Without limiting the generalities of the foregoing, this Ordinance is specifically designed:

- 1) To provide for orderly growth and harmonious development of the Township consistent with the Master Plan and Zoning Ordinance;
- 2) To carry out the purpose and intent of the *Land Division Act, 1967 P.A. 288 (MCL 560.101, et seq.)*, as amended, and the *Michigan Planning Enabling Act, 2003 P.A. 33 (MCL 125.3801, et seq.)*, as amended.
- 3) To provide for, and regulate, the economical provision or extension of utility services, streets and other necessary land improvements;
- 4) To require that land be suitable, and suitably improved, for building sites;
- 5) To provide for adequate drainage;
- 6) To prevent the premature development of land;
- 7) To provide for proper ingress and egress to lots;

- 8) To promote proper surveying, monuments and legal descriptions;
- 9) To provide for safe and convenient traffic circulation and traffic movement;
- 10) To insure against the creation of unsafe or undesirable conditions;
- 11) To conserve the value of property;
- 12) To conserve energy and natural features;
- 13) To establish rules and procedures for the approval of subdivisions;
- 14) To provide penalties for the violation of this Ordinance; and
- 15) To provide for the variation of the requirements

Section 1.3 - Legal Basis

This Ordinance is enacted pursuant to 1967 P.A 288, as amended, the *Land Division Act*, and 2003 P.A. 33, as amended, the *Michigan Planning Enabling Act*.

Section 1.4 - Scope

This Ordinance shall not apply to any lot or lots in a plat that has received either preliminary or final approval from the Township Board or to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this Ordinance except in the case of any further division of lots located therein. This Ordinance shall not apply to land divisions which are not subject to the platting requirements of the *Land Division Act*.

Section 1.5 - Schedule of Fees

The fee for the review of plats shall be in accord with the following fee schedule:

- 16) A proprietor submitting a preliminary plat for tentative approval shall pay the Township Clerk the sum of \$500.00 plus \$10.00 per lot for each lot over ten (10) as a review fee;
- 17) A proprietor submitting a preliminary plat for final approval shall pay the Township Clerk the sum of \$500.00 plus \$10.00 per lot for each lot over ten (10) as a review fee; and,
- 18) A proprietor submitting a final plat for approval shall pay the Township Clerk the sum of \$250.00 plus \$10.00 per lot for each lot over ten (10) as a review fee in addition to the filing and recording fees authorized by *Section 241* of the *Land Division Act*.

Until a fee required in this section is paid a plat shall not be considered or reviewed.

Section 1.6 - Additional Fees

In cases where it is certain that necessary professional services are required, the Township Clerk may require a plat approval applicant to deposit a sum of money up to the estimated cost of such professional services. The deposit shall be put into an interest-bearing account. It shall be used only to pay for necessary professional services. The Clerk may, in his/her discretion, require that additional funds be deposited after a draw has been made upon a deposit in order to maintain a minimum deposit balance sufficient to pay for future, anticipated necessary professional services. Any unused portion of the deposit together with accrued interest shall be returned to the applicant immediately following payment for professional services.

ARTICLE II

RULES APPLYING TO TEXT AND DEFINITIONS

Section 2.1 - Rules Applying to Text

The following listed rules of construction apply to the text of this Ordinance:

- 1) The particular shall control the general.
- 2) The headings which title various articles and subsections and the statements of purpose are for convenience only and are not to be considered in any construction or interpretation of the Ordinance or as enlarging or restricting the terms and provisions of the Ordinance in any respect.
- 3) The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
- 19) Words used in the present tense shall include the future, and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- 20) The word “building” includes the word “structure”.
- 21) A “building” or “structure” includes any part thereof.
- 22) The word “person” includes a firm, association, partnership, joint venture, corporation, or combination of any of them as well as a natural person.
- 23) The word “used” or “occupied”, as applied to any land or building, shall be construed to include the words “intended”, “arranged”, or “designed to be used”, or “occupied”.
- 24) Any word or term not defined herein shall be used with a meaning of common or standard utilization.
- 25) The term “adjoining lots and parcels” is intended to include lots and parcels separated by highways, roads, streets or rivers.

Section 2.2 - Definitions

The following listed terms and words are defined for the purpose of this Ordinance and shall apply in the interpretation and enforcement of this Ordinance unless otherwise specifically stated.

- 1) Alley: A public or private right-of-way shown on a plat which provides secondary access to a lot, block or parcel of land.
- 2) As-Built Plans: Revised construction plans in accordance with all approved changes made in the field.
- 3) Block: An area of land within a subdivision that is entirely bounded by streets, highways, or ways, except alleys, or the exterior boundary or boundaries of the subdivision.
- 4) Board: The Township Board of the Charter Township of Williams, Bay County, Michigan.
- 5) Building Line (Building Setback): The measurement from the property line to the nearest point of the main wall of the building or structure (refer to Ordinance No. 33, the Williams Township Zoning Ordinance, as amended), the purpose being to prohibit construction of buildings or structures within the area between the property line and the building line.
- 6) Caption: The name by which the plat is legally and commonly known.
- 7) Commercial Development: A planned commercial center providing building areas, parking areas, service areas, screen planting and widening, turning movement and safety lane roadway improvements.
- 8) County Drain Commissioner: The Bay County Drain Commissioner.
- 9) County Health Department: The Bay County Health Department.
- 10) County Plat Board: The Bay County Plat Board.
- 11) County Road Commission: The Bay County Road Commission.
- 12) Crosswalkway or Pedestrian Walkway: A right-of-way, dedicated to public use, which crosses a block to facilitate pedestrian access to adjacent streets and properties.
- 13) Dedication: The intentional appropriation of land by the owner to public use.
- 14) Department of Environmental Quality: The Michigan Department of Environmental Quality.
- 15) Engineer: Any person who is registered in the state of Michigan as a Professional Engineer.

- 16) Flood Plain: That area of land adjoining the channel of a river, stream, watercourse, lake or other similar body of water which will be inundated by a flood which can reasonably be expected to occur once in one hundred (100) years for that area.
- 17) Master Plan: The basic plan, as amended from time to time, adopted by the Township pursuant to *2008 P.A. 33*, as amended. Such plan may include all or any part or parts of the elements described in *Section 33* of *2008 P.A. 33*, as amended, and may include maps, plats, charts, and descriptive, explanatory and other related matter.
- 18) Governing Body: The Township Board of the Charter Township of Williams.
- 19) Greenbelts or Planting Strips: A strip or parcel of land, privately restricted or publicly dedicated as open space, located between incompatible uses for the purpose of protecting and enhancing the residential environment.
- 20) Improvements: Any structure incidental to servicing or furnishing facilities for a subdivision such as grading, street surfacing, curb and gutter, driveway approaches, sidewalks, crosswalks, water mains and lines, sanitary sewers, storm sewers, culverts, bridges, utilities, lagoons, slips, waterways, lakes, bays, canals and other appropriate items with appurtenant construction.
- 21) Industrial Development: A planned industrial area designed specifically for industrial use providing screened buffers, wider streets and turning movement, and safety lane roadway improvements, where necessary.
- 22) Land Division Act: *1967 P.A. 288*, as amended.
- 23) Lot: A measured portion of a parcel or tract of land which is described and fixed in a recorded plat.
 - a) Lot Depth: The distance between the front and rear lot lines, measured along a line midway between the side lot lines.
 - b) Lot Width: The distance between the side lot lines measured at the building setback line and at a right angle to the lot depth.
- 24) Lot Split:
 - a) The combination of existing lots in a recorded plat into one (1) parcel; or
 - b) The alteration of an existing lot line in a recorded plat which does not change the number of lots; or
 - c) The alteration of existing lot lines in a recorded plat which creates an additional lot.

- 25) Major Thoroughfare Plan: Major thoroughfare plan shall mean that part of the Master Plan which describes the existing street system in the Township and outlines future street planning needs.
- 26) Outlot: When included within the boundary of a recorded plat, an outlot is a lot set aside for purposes other than a building site, park, or other land dedicated for public use or reserved for private use.
- 27) Parcel or Tract: A continuous area or acreage of land which can be described as provided for in the Subdivision Control Act, as amended.
- 28) Planning Commission: The Williams Township Planning Commission as established pursuant to *2008 P.A. 33*, as amended.
- 29) Planned Unit Development: A land area which has both individual building sites and common property, such as a park, and which is designated and developed under one (1) owner or organized group as a separate neighborhood or community unit.
- 30) Plat: A map or chart of a subdivision of land. The precise content and scope of various types of plats are described more fully in Article III of this Ordinance.
 - a) Concept Plan for the Preliminary Plat/Pre-Preliminary Plat: An informal plan or sketch drawn to scale showing the existing features of a site and its surroundings and the general layout of a proposed subdivision.
 - b) Preliminary Plat: A map showing the salient features of a proposed subdivision of land submitted to an approving authority for purposes of preliminary consideration.
 - c) Final Plat: A map of a subdivision of land made up in final form ready for approval and recording.
- 31) Proprietor, Subdivider, or Developer: A natural person, firm, association, partnership, joint venture, corporation or combination of any of them, which may hold any record ownership interest in land. The proprietor is also sometimes referred to as the “owner”.
- 32) Public Utility: Any person, firm, association, corporation, partnership, joint venture, or municipal or other public authority, or combination of any of them duly authorized to furnish gas, electricity, water, steam, telephone, telegraph, storm sewers, sanitary sewers, transportation or other services of similar nature.

- 33) Public Open Space: Land dedicated or reserved for use by the general public including, without limiting, the generality of the foregoing parks, parkways, recreation areas, school sites, community or public building sited, streets and highways, and public parking spaces.
- 34) Replat: The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. A lot split, or the legal dividing of an outlot within a recorded subdivision plat without changing the exterior boundaries of the outlot, is not a replat.
- 35) Right-of-Way: A street, alley, thoroughfare, easement or strip of land used or intended to be used for pedestrian or vehicular access or other public purpose by the general public and not reserved for the exclusive right of any individual.
- 36) Sight Distance: The unobstructed vision on a horizontal plane along a street centerline from a driver-eye height of 3.75 feet and an object height of 6 inches.
- 37) Street or Road: A right-of-way which provides for vehicular and pedestrian access to abutting properties.
- a) Freeway: Those streets designed for high speed, high volume through traffic, with completely controlled access, no at-grade crossings, but no driveway connections.
 - b) Expressway: Those streets designed for high speed, high volume traffic, with full or partially controlled access, some at-grade crossings, but no driveway connections.
 - c) Parkway: A street designed for noncommercial, pleasure-oriented traffic moving at moderate speeds, between and through scenic areas and parks.
 - d) Arterial Street: Those streets of considerable continuity which are used, or may be used primarily, for fast or heavy traffic. Arterial streets may include major county primary and minor county primary roads as shown on the Williams Township Major Street Plan, as adopted.
 - e) Collector Street: Those streets used to carry traffic from minor streets to arterial streets, including principal entrance streets to large residential developments. Collector streets may include major county primary and minor primary roads as shown on the Williams Township Major Street Plan, as adopted.
 - f) Cul-de-sac: A minor street of short length having one end terminated by a vehicular turn-around.
 - g) Marginal Access Street: A minor street which is parallel and adjacent to arterial streets and which provides access to abutting properties and protection from through traffic but not carrying through traffic.

- h) Minor Street: A street which is intended primarily for access to abutting properties.
 - i) Street Width: The shortest distance between the lines delineating the right-of-way of streets.
- 38) Subdivide or Subdivision: The partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns for the purpose of sale, or lease of more than one (1) year, or of building development that results in one (1) or more parcels of less than forty (40) acres or the equivalent, and that is not exempted from the platting requirements of the *Land Division Act* by *Sections 108 and 109* of the act. “Subdivide” or “subdivision” does not include a property transfer between two (2) or more adjacent parcels, if the property taken from one (1) parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this act or the requirements of an applicable local ordinance.
- 39) Surveyor: Either a land surveyor who is registered in this state as a Registered Land Surveyor or a Civil Engineer who is registered in the state as a Registered Professional Engineer.
- 40) Topographical Map: A map showing existing physical characteristics with contour lines at sufficient intervals other pertinent information.
- 41) Township: The Charter Township of Williams.
- 42) Water Resources Commission: The Water Resources Commission of the Michigan Department of Natural Resources.

ARTICLE III

PLATTING PROCEDURE AND DATA REQUIRED

It is the responsibility of the subdivider to be familiar with the applicable provisions of the various Township ordinances, the Michigan *Land Division Act*, as amended, ordinances and policies of the Bay County Road Commission, Bay County Drain Commission, Bay County Health Department and all other agencies that may have jurisdiction regarding the subdividing of land in Williams Charter Township.

Section 3.1 - Pre-Preliminary Plat (Optional)

While not required, a pre-preliminary plat may be submitted and a pre-application conference may be requested by the subdivider to provide guidelines for the subdivider concerning development policies of the Township, to acquaint the subdivider with the platting procedures and requirements of the Township Board and Planning Commission and to provide the Planning Commission and other affected agencies with general information concerning the proposed development. Acceptance of the pre-preliminary plat does not constitute or assure acceptance of the preliminary plat.

1) **Requirements**

If a pre-preliminary plat is submitted, it shall be drawn to a scale of not more than one hundred (100) feet to one (1) inch and shall contain at least the following data.

- a) All contiguous holdings of the subdivider with an indication of the portion to be subdivided if not the entire parcel.
- b) General layout of streets, blocks and lots in sketch form.
- c) Existing conditions and characteristics of the land on and adjacent to the site such as significant topographical and physical features.
- d) Any general area set aside for parks and/or other community facilities.
- e) Name of proposed plat, north point, scale and date.
- f) Current proof of ownership of land to be platted or evidence of a contractual ability to acquire such land such as an option or purchase contract.

2) Procedures

The following procedure will be followed in the review of any pre-preliminary plat that is submitted.

- a) The subdivider shall submit ten (10) copies of the pre-preliminary plat to the Township Clerk at least thirty (30) days before the first meeting of the Planning Commission at which time the pre-preliminary plat is to be considered.
- b) The Township Clerk shall promptly transmit all copies of the pre-preliminary plat to the Planning Commission.
- c) The Planning Commission shall review the pre-preliminary plat with the subdivider or his agent. In the event that the Planning Commission shall reasonably determine that other agencies are affected, the Planning Commission may recommend that copies of the pre-preliminary plat be submitted by the subdivider to such other affected agencies for review.
- d) The Planning Commission shall inform the subdivider or his agent of the Township's development policies and make appropriate comments and suggestions concerning the proposed development scheme.
- e) The Planning Commission shall inform the Township Board and the subdivider in writing of the results of its review of the pre-preliminary plat.

This optional pre-preliminary conference opportunity with the Township Planning Commission is intended to be available to a potential applicant for approval of a plat regardless of whether the proprietor of the proposed plat has submitted a written request to the chairperson of the county plat board requesting a preliminary review meeting to informally review the proprietor's concept plan for the preliminary plat, as provided by *Section 111(3)* of the *Land Division Act*, as amended.

Section 3.2 - Preliminary Plat for Tentative Approval

A preliminary plat for tentative approval shall be prepared by the subdivider in accordance with the following requirements and the Subdivision Control Act.

1) Requirements

- a) The preliminary plat shall include all of the contiguous land owner by the subdivider that is proposed for eventual development even though only a portion of the total land may be initially developed.
- b) The preliminary plat shall be drawn to a scale of not more than one hundred (100) feet to one (1) inch.

- c) The following shall be clearly shown on the plat or an attachment thereto:
- 1) The proposed name of the subdivision.
 - 2) The location of the subdivision by section, town and range or by other legal description.
 - 3) The scale, north point & date of the proposed plat.
 - 4) The names, addresses and telephone numbers of the subdivider, and the surveyor who prepared the proposed plat.
 - 5) The seal of the surveyor who prepared the plat.
 - 6) An overall area map showing the relationship of the subdivision to surrounding areas within one-quarter mile. Information on the area map shall include section lines, streets and abutting subdivisions. The minimum acceptable scale for such map is eight hundred (800) feet to one (1) inch.
 - 7) Property lines of adjacent tracts of subdivided and unsubdivided land shown in relation to the tract being proposed for subdividing, including those located across abutting roads.
 - 8) The location, widths and names of existing or prior platted streets and public and private easements within or adjacent to the tract being proposed for subdividing, including those located across abutting roads.
 - 9) The topography drawn as contours with an interval of not more than two (2) feet.
 - 10) Significant natural and man-made features which could influence the layout and design of the subdivision.
 - 11) The layout of streets indicating proposed street names, right-of-way widths and connections with adjoining streets.
 - 12) The layout, numbers and dimensions of lots including building setback lines and showing approximate dimensions.
 - 13) Statement of intended use of the proposed plat, such as: residential single-family; two-family; and, multiple housing.
 - 14) An indication of parcels of land intended to be dedicated or set aside for public use or for the use of property owners in the subdivision.

- 15) An indication of the ownership and the existing and proposed use of any parcel identified as “excepted” on the preliminary plat. If the proprietor has an interest in or owns any parcel so identified as “excepted”, the preliminary plat shall indicate how this property can be developed in accordance with the requirements of the existing zoning district in which it is located and with an acceptable relationship to the layout of the proposed preliminary plat.
- 16) The location of all proposed connections to the existing public sanitary sewerage system or a statement of the alternate method meeting the requirements of the Michigan Department of Environmental Quality.
- 17) The location of all proposed connections to the existing public water distribution system or a statement of an alternate method meeting the requirements of the Michigan Health Department.
- 18) An indication of the storm drainage method, any areas proposed for retention or detention and the location of any existing storm drain proposed to be used.
- 19) Any variance from the provisions of these subdivision regulations must be requested in writing upon the submission of a preliminary plat for tentative approval.

2) Tentative Preliminary Plat Approval Procedure

- a) The subdivider shall submit to the Township Clerk ten (10) copies of the preliminary plat together with the fee required by *Section 1.5* at least thirty (30) days before the Planning Commission meeting at which the preliminary plat is to be considered.

In addition, the subdivider shall submit copies of the preliminary plat, as necessary, to the authorities provided in *Sections 113 to 119* of the *Land Division Act*. Approval by these authorities, however, is not required for tentative preliminary plat approval.

- b) If any of the required data is omitted, the Planning Commission shall notify the subdivider, in writing, of the additional data required, and Commission action shall be delayed until the required data is received. The date of filing shall be that date when all data is received.
- c) The Township Clerk shall transmit all copies of the preliminary plat to the Planning Commission.

- d) The Planning Commission shall review and make recommendations on preliminary plats before the Township Board considers tentative approval under *MCL 560.112*. The Planning Commission shall not take action on a proposed plat without affording an opportunity for a public hearing on it. A plat submitted to the Planning Commission shall contain the name and address of the proprietor, or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the Township. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.
- e) The Planning Commission shall recommend approval, approval with conditions, or disapproval of a plat within 63 days after the plat is submitted to the Planning Commission. If applicable standards under the *Land Division Act, 1967 P.A. 288, MCL 560.101 to 560.293*, and an ordinance or published rules governing the subdivision of land authorized under *Section 105* of that act, *MCL 560.105*, are met, the Planning Commission shall recommend approval of the plat. If the Planning Commission fails to act within the required period, the plat shall be considered to have been recommended for approval, and a certificate to that effect shall be issued by the Planning Commission upon request of the proprietor. However, the proprietor may waive this requirement and consent to an extension of the 63-day period. The grounds for any recommendation of disapproval of a plat shall be stated upon the records of the Planning Commission.
- f) The Township Board shall tentatively approve and note its approval on the copy of the preliminary plat, or tentatively approve it subject to conditions and note its approval and conditions on the copy of the preliminary plat, to be returned to the proprietor, or set forth in writing its reasons for rejection and requirements for tentative approval, within the following time period, as applicable:
- 1) Within sixty (60) days after it was submitted to the clerk, if a preapplication review meeting was conducted as provided by *Section 111 (3)* of the *Land Division Act*.
 - 2) Within ninety (90) days after it was submitted to the clerk, if such a preapplication review meeting was not conducted.
- g) Tentative approval under this section confers upon the proprietor approval of lot sizes, lot orientation, and street layout, and application of the then-current subdivision regulations for a period of one (1) year from the effective date of approval. Such approval expires after the one (1) year period elapses. Tentative approval may be extended if applied for by the proprietor before it expires and granted by the Township Board in writing.

Section 3.3 - Preliminary Plat for Final Approval

A preliminary plat for final approval including detailed plans for all improvements shall be prepared by the proprietor in accordance with the following requirements and the *Land Division Act*.

1) Requirements

- a) The preliminary plat submitted for final approval shall conform substantially to the preliminary plat as tentatively approved and shall include all information required for tentative approval. It may constitute only that portion of the tentatively approved preliminary plat which the subdivider proposes to record and develop at the time. However, such portion shall conform these subdivision regulations.
- b) The proprietor shall submit to the Township Clerk a list of all authorities required by *Sections 113 to 119* of the *Land Division Act* to review the preliminary plat, certifying that the list shows all authorities as required by those sections. The proprietor shall also submit all written approvals to the Township Clerk.
- c) The subdivider shall provide detailed working drawings and calculations in accordance with Township standards and the standards of other agencies having jurisdiction, showing plans for grading, drainage structures, all proposed utilities (including a street lighting plan), road construction plans (including traffic control devices) for roads within the plat and soil erosion and sedimentation measures.
- d) For projects or subdivisions having more than one (1) sheet of plans, a general plan having a scale not more than one hundred (100) feet to one (1) inch shall be provided showing the overall project or subdivision and indicating the location of all improvements shown in the detailed plans. Street names, street and easement width, lot lines, lot dimensions and lot numbers shall be shown on all plans. Superimposed on this general plan shall be two (2) foot contours of the area and the area outside boundaries of the proposed subdivision to the extent necessary to demonstrate that the drainage patterns of adjacent properties will not be adversely affected. Detailed plan sheets showing all improvements should be prepared at one (1) inch to equal forty (40) feet.
- e) All proposed sanitary sewers, storm sewers and watermains shall be shown in plan and profile. Profiles shall indicate the size, class of pipe, invert and slope and shall indicate the existing ground along the route and the proposed easement grade, or existing or proposed top of curb or centerline of pavement grades. The location of compacted granular backfill required shall be indicated on the profile together with other intersecting, existing or proposed utilities.

- f) Elevations shall be based on United States Geological Survey data. There shall be at least two (2) bench marks established within the site, and at least two (2) bench marks shall be shown on each plan sheet.
- g) Finished grades and elevations of utility structures shall be indicated on the plan or profiled for all utilities.
- h) When working drawings are submitted to the Township for approval they shall include all proposed construction within the development. All required improvements shall be shown to the boundaries of the subdivision unless otherwise approved by the Township Engineer. A complete plan shall generally include sanitary sewers, watermains, storm sewers and paving.
- i) When the complete set of plans have been approved by all agencies having jurisdiction, the plans shall be provided to and approved by the Township before construction may begin. The plans submitted to the Township shall be sealed by a Professional Engineer.
- j) A site report as described in the most current rules of the health department having jurisdiction shall be submitted if public sewer and water systems are not available and accessible to the land proposed to be subdivided. The preliminary plat shall show the location and depth of soil borings and the location of percolation test holes if the proposed subdivision will not be served by public sewer and water systems.

2) Final Preliminary Plat Approval Procedure

- a) The proprietor shall submit to the Township Clerk ten (10) copies of the preliminary plat, four (4) sets of detailed engineering working drawings, a list of all authorities required by *Sections 113 to 119 of the Land Division Act* to review the preliminary plat certifying that the list shows all required authorities and the written approvals together with the fee required in *Section 1.5*.
- b) The Township Clerk shall transmit copies of the preliminary plat and working drawings to the Township Board, Engineer, Fire Chief and Bay County Department of Water and Sewer, and copies of the preliminary plat to the Planner and Attorney.
- c) The detailed working drawings and calculations shall be reviewed by the Township Engineer, the Township Fire Chief and the Bay County Department of Water and Sewer for compliance with the *Land Division Act* and Township codes, ordinances and standards, and each reviewer shall transmit any comments and recommendations in writing to the Township Board.

- d) The preliminary plat shall be reviewed by the Township Planner and Township Attorney for compliance with the previous tentative approval, the zoning ordinance and these subdivision regulations and they shall transmit any comments and recommendations in writing to the Township Board.
- e) The Township Board shall consider and review the preliminary plat and any comments submitted by the Township Engineer, Planner, Attorney, Fire Chief and Bay County Department of Water and Sewer at its next meeting of within twenty (20) days from the date of submission of all required materials prescribed in Section 3.2, 1). The Township Board shall approve the preliminary plat. The Township Clerk shall promptly notify the subdivider of approval or rejection in writing and, if rejected, shall give the reasons.
 - 1) Approval of a preliminary plat shall not constitute approval of the final plat, but rather that final plat approval shall be conditioned on all requirements being met.
 - 2) Final approval of the preliminary plat by the Township Board shall confer upon the proprietor for a period of two (2) years from the effective date of approval the conditional right that the general terms and conditions under which final preliminary plat approval was granted will not be changed. Such final preliminary approval shall expire after the two (2) year period elapses. The Township Board may extend the two (2) year period if applied for by the subdivider before it elapses and granted in writing, but only concerning the Township's own requirements. Written notice of such an extension shall be sent by the Township Clerk to the other approving authorities.
- f) No installation or construction of any improvement shall be made before the Township Board grants Final Preliminary Plat approval and approves the final engineering plans prescribed in Section 3.3 1) i) and all necessary construction permits are obtained from all other regulatory agencies.

Section 3.4 - Final Plats

1) Requirements

The proprietor shall submit the following:

- a) A final plat prepared as provided in the *Land Division Act (Sections 131 to 151)*.
- b) A written request for approval, the filing and recording fees required by *Section 241 of the Land Division Act* and the fee required by *Section 1.5*.
- c) Proof of ownership of the land included in the final plat in the form of an abstract of title certified to a date on or after the proprietor's certificate, or a policy of title insurance currently in force.

- d) One (1) mylar copy and three (3) sets of paper prints of approved as built construction plans for streets, water, sewer, storm drainage, sidewalks and other required public improvements are being guaranteed in accordance with the provisions of Section 5.4 the mylar copy of as built plans need not be submitted until the construction of all improvements have been completed and approved by the Township.
- e) One (1) copy of the final deed restrictions or restrictive covenants, if any.
- f) Deeds to any properties to be dedicated to the Township.
- g) Performance or installation agreements for any improvements not controlled or regulated by other agencies, such as watermains, sidewalks or street lights.
- h) One (1) copy of any financing arrangements between the Township and the proprietor for the installation of required improvements.
- i) Such other information as the Township shall deem to be reasonably necessary to establish whether the proper parties have signed the plat.

2) Final Plat Approval Procedure

- a) The subdivider shall submit the final plat with construction plans and other data, where required, to the Township Clerk.
- b) The Township Clerk shall promptly transmit all copies of the plat and supporting documents to the Township Board and shall transmit one (1) set of construction plans to the Township Engineer.
- c) The Township Engineer shall be responsible for the final inspection of all constructed improvements identified in the final plat and shall certify to the Township Board that all proposed improvements have either been constructed in accordance with approved plans or have been guaranteed in accordance with the provisions of Section 5.4.
- d) The Township Board shall review the final plat and the report from the Township Engineer at its regular meeting, or at a meeting to be called within twenty (20) days of submission of the final plat.
 - 1) The Township Board shall either approve or disapprove the plat. If disapproved, the Township Board shall transmit to the subdivider its reasons in writing.

- 2) If the plat is approved, the Township Board shall instruct the Clerk to sign the municipal certificate on the approved plat on behalf of the Township Board showing the date approved on the plat and instruct the Clerk to record all proceedings in the minutes of the meeting.
- 3) Recording of the final plat shall have the effect of an irrevocable offer to dedicate all streets and other public ways, all park areas, school sites, and other such areas to the public use unless a notation is placed in the plat by the subdivider stating there is no such offer of dedication of certain areas or ways.
- 4) Recording of the plat, however, shall not impose any duty upon the Township, County or other governmental unit concerning improvement or maintenance of any such dedicated or reserved area until the proper authorities have agreed to accept the same by legal action.

ARTICLE IV

SUBDIVISION DESIGN STANDARDS

Section 4.1 - Street and Roads

The provisions of this Ordinance shall be the minimum Township requirements for streets, roads and intersections. In the event that any other public agencies having jurisdiction shall adopt any statutes, ordinances, rules or regulations imposing additional, different, or more stringent requirements, the terms of such statutes, ordinances, rules or regulations shall govern.

1) Street Location and Arrangement

When a Major Street Plan has been adopted, subdivision streets shall generally conform to the adopted plan.

2) Minor Streets

Such streets shall be so arranged as to discourage their use by through traffic.

3) Street Continuation and Extension

The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new subdivisions.

4) Stub Streets

Subject to the requirements of Section 4.7, paragraph 2) b), hereafter, where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall be extended to the boundary line of the tract to make provision for the future projection of streets into adjacent areas. This shall be accomplished by outlots which comply with current *Board of County Road Commissioners County of Bay, Michigan Rules, Standards and Specifications for Plat Road Development*. The Planning Commission can waive this requirement where it makes a specific finding that a stub street is not necessary after considering the wise, practical and efficient development of the subdivision, taking into consideration the particular circumstances of the property to be subdivided and all adjacent lands.

5) Relation to Topography

Streets shall be arranged in proper relation to topography so as to result in usable lots, safe streets, and reasonable gradients.

6) Alleys

Alleys shall not be permitted in areas of detached single or two (2) family residences. Alleys may be provided in multiple family, commercial or industrial subdivisions unless other provisions are made for service access, off-street loading and parking. Dead-end alleys shall be prohibited.

7) Marginal Access Streets

Where a subdivision abuts or contains an arterial street, the Township Board may require:

- a) Marginal access streets approximately parallel to, and on each side of, the arterial street right-of-way; or
- b) Such other treatment as it deems reasonably necessary for the adequate protection of residential properties and to afford separation of through and local traffic such as planted buffer strips or the redesign of all or part of the street layout within the proposed plat.

8) Cul-de-sac Streets

Temporary cul-de-sacs or outlots shall be provided at the termini of streets where a future extension is planned. Temporary cul-de-sacs need not be a part of the dedicated right-of-way; however, easements shall be furnished to the Bay County Road Commission for this purpose, such easement to be released at such time as the road is extended.

Cul-de-sacs shall not normally be more than six hundred (600) feet in length and shall be designed in accordance with the requirements of the Bay County Road Commission. The Planning Commission, however, can allow longer cul-de-sacs in instances where it is deemed necessary for the wise, practical, and efficient development of the subdivision, taking into consideration the particular circumstances of the property to be subdivided. In granting a longer cul-de-sac, the Planning Commission shall insure that the cul-de-sac provides for safe and efficient traffic circulation, including the movement of emergency and utility vehicles and, further, that all utilities can properly serve the extended cul-de-sac.

9) Half Streets

Half streets will be acceptable only when the boundary of the proposed plat coincides with the boundary of a recorded plat on which a half street is presently dedicated.

10) Private Streets

Private streets and roads shall be prohibited.

11) Street Right-of-Way and Roadway Widths

Street and road rights-of-way and roadway widths shall conform to the rules of the County Road Commission and the Michigan Department of Transportation.

12) Street Gradients

a) Maximum Grades

Street grades on centerline shall not exceed five (5) percent on either minor streets or collector streets.

b) Minimum Grades

No street grade shall be less than zero point three (0.3) percent.

c) Ditch Grades

In general, ditch grades shall be the same as the centerline street grade.

13) Street Alignment

a) Horizontal Alignment

When street lines deflect from each other by more than ten (10) degrees in alignment, the centerlines shall be connected by a curve with a minimum radius of five hundred (500) feet for arterial streets and three hundred (300) feet for collector streets.

b) Vertical Alignment

Vertical curves shall be used at all changes in grade. The minimum vertical sight distances shall be two hundred (200) feet for minor streets and three hundred (300) feet for collector streets. Proposed platted streets that intersect with existing through streets shall also be so located that a minimum of five hundred (500) feet vertical sight distance is provided for both streets.

14) Street Names

Street names shall not duplicate any existing street name in the County except where a new street is a continuation of an existing street of the same name.

Any street name which is spelled differently but sounds the same as an existing street name in the county is prohibited.

All new streets shall be named as follows: Street with predominant north-south directions shall be named "Avenue" or "Road"; streets with predominate east-west direction shall be named "Street" or "Highway"; meandering streets shall be named "Drive", "Lane", "Path", or "Trail"; and cul-de-sacs shall be named "Circle", "Court", "Way", or "Place".

15) Outlots

Outlots which are to become the right-of-way for future streets must be described as such on the plat.

Section 4.2 - Intersections

1) Angle of Intersection

Streets shall intersect at ninety (90) degrees or as closely thereto as practical. In no event shall the angle of intersection be less than eighty (80) degrees.

2) Sight Triangles

Minimum clear sight distance at all minor street intersections shall permit vehicles to be visible to the driver of another vehicle when each is one hundred twenty-five (125) feet from the center of the intersection. No fence, wall, embankment, structure, sign, or planting shall obstruct vision in this area.

3) Number of Streets

No more than two (2) streets shall meet at any one intersection.

4) "T" Intersections

"T" type intersections shall be used where practical at intersections of minor streets with any street.

5) Centerline Offsets

Slight jogs at intersections shall be eliminated where practical. Where such jogs cannot be practically avoided, street centerlines shall be offset by a distance of one hundred twenty-five (125) feet or more.

6) Vertical Alignment of Intersection

A nearly flat grade with appropriate drainage slopes is required within intersections. This flat section shall be carried back a minimum of fifty (50) feet each way from the intersection. An allowance of two (2) percent minimum intersection grade in rolling and four (4) percent in hilly terrain will be permitted.

Section 4.3 - Pedestrianways

1) Crosswalks

Right-of-way for pedestrian crosswalks in the middle of long blocks shall be provided where necessary to obtain convenient pedestrian circulation to schools, parks, shopping areas, or other activity centers.

Such pedestrian right-of-way shall be at least ten (10) feet wide and extend entirely through the block.

2) Sidewalks

Sufficient right-of-way shall be provided so that sidewalks may be installed on both sides of all streets.

Section 4.4 - Easements

1) Easement Location

Easements shall be provided along front or rear lot lines for utilities and also along side lot lines when necessary. The total width shall not be less than six (6) feet along each lot, or a total of twelve (12) feet for adjoining lots except in the case of those lots included within the provisions of Section 4.6 6) hereafter.

2) Drainageway

Where a subdivision is traversed by a watercourse, drainage way, channel, floodplain, or stream, a storm water easement or drainage right-of-way should be provided which conforms substantially with the lines of such watercourse or right-of-way to minimize flooding during periods of heavy rain. The subdivider shall provide drainageway easements as required by the rules of the Bay County Drain Commissioner.

Section 4.5 - Blocks

1) Arrangements

A block shall be designed to provide two (2) tiers of lots, except in those cases where lots back onto an arterial street, natural feature or subdivision boundary.

2) Minimum Length

Blocks shall not be less than five hundred (500) feet long from center of street to center of street.

3) Maximum Length

The maximum length normally allowed for residential blocks shall be on thousand (1000) feet from center of street to center of street.

However, the Planning Commission may vary the minimum length and maximum length of a block in instances where it is determined necessary for the wise, practical, and safe development of the property to be subdivided, taking into consideration the character of the land to be divided. The Planning Commission shall take into consideration, in granting a block less than the recommended minimum or more than the recommended maximum, all criteria and conditions set forth in Section 4.1, 8) to insure that the health, safety, and welfare of ultimate purchasers of lots in the subdivision are not affected by allowing blocks less than the normal minimum or more than the normal maximum.

Section 4.6 - Lots

1) Conform to Zoning

The lot width, depth, building setback line, and area shall not be less than the particular district requirements of the Township Zoning Ordinance, as amended, except where outlots are provided for some permitted purpose.

2) Lot Lines

Side lot lines shall be as close to right angles to straight streets and radical to curve streets as practical.

3) Width Related to Length

The depth of a lot shall not exceed two and one-half (2 ½) times the width as measured at the building line.

4) Corner Lots

Corner lots shall have sufficient width so as to permit appropriate building setback from both streets or orientation to both streets. Lots abutting a pedestrian mid-block crosswalk shall be treated as corner lots.

5) Uninhabitable Areas

Lands subject to flooding or otherwise deemed by the Planning Commission to be uninhabitable shall not be platted for residential purposes, or for uses that may, in the judgement of the Planning Commission and Township Board, increase the danger to health, life, or property or increase the flood hazard. Such and within a subdivision shall be set aside for other uses, such as parks or other open space. Lands subject to flooding should also comply with the Williams Township Flood and Drainage Prevention Ordinance as adopted by the Williams Township Board.

6) Back-Up-Lots

Lots shall back into such features as freeways, arterial streets, shopping centers, or industrial properties, except where there is a marginal access street, or unless a secondary access is provided. Such lots shall contain a landscape planting strip along the rear at least twenty (20) feet wide in addition to the utility easement to restrict access to the arterial street to minimize noise and to protect outdoor living areas.

7) Double Frontage Lots

Lots extending through a block and having frontage on two (2) local streets shall be prohibited.

8) Lot Frontage

All lots shall front upon a publicly dedicated street. Variances may be permitted for approved planned unit developments.

9) Future Arrangements

Where parcels of land are subdivided into unusually large lots (such as when large lots are required for septic tank operations), the parcels shall be divided, where feasible, so as to allow for resubdividing into smaller parcels in a logical fashion. Lot arrangements shall allow for the ultimate extensions of adjacent streets through the middle of wide blocks. Whenever future resubdividing or lot splitting is to be undertaken, the plan therefore shall first be approved by the Planning Commission prior to submission to the Township Board for approval pursuant to Section 4.6 10) hereafter.

10) Lot Split

- a) Prohibition of Lot Splits: No lot, outlot or other parcel of land located in a recorded plat shall be further partitioned or divided unless such partition or division is first approved by the Township Board.
- b) Application for Permission: Any proprietor who desires to partition or split a lot, outlot or other parcel of land located in a recorded plat shall first make application to the Township Board in writing. Such application shall be filed with the Township Clerk and shall include a detailed statement of the reasons for the requested partition or division, a sketch map or maps prepared in scale showing the proposed division or partition and all adjoining lots, streets and parcels of land. In those cases where a lot split would result in an additional building lot, the proprietor shall submit a statement from the Bay County Health Department indicating the effect of the proposed division or partition upon the safe operation of necessary septic tanks and wells.

- c) Building Permit: No building permit shall be issued to any proprietor or his agent or any other person, firm, association, or corporation with reference to the lot, outlot or other parcel of land which is to be split unless the partition or division shall first have been approved by the Township Board.
- d) Division Resulting in Smaller Area: A division or partition of a lot, outlot or other parcel of land which is not served by public sewer and public water systems and which results in the creation of a parcel or parcels containing a smaller area or width than is required by the *Land Division Act*, as amended, and the Williams Township Zoning Ordinance, as amended, may be approved by the Township Board, in its discretion, provided the parcel or parcels created by such division or partition which are smaller than said area and width requirements are contiguous with other lots or parcels owned by the proprietor which, when added to the parcels created by such division or partition, will comply with the area and width requirements of the *Land Division Act* and the Williams Township Zoning Ordinance, as amended. If approval of any such division or partition is granted pursuant to this section, then the parcel established by the division or partition and the contiguous lot or parcel of land required to meet said area and width requirements shall be considered as one (1) building lot and parcel for all purposes.
- e) Conditions: In granting its approval for any such requested division or partition, the Township Board may condition its approval with such reasonable conditions as shall be deemed desirable by the Township Board and which are in accordance with the purposes of the *Land Division Act*, as amended, as the same are embodied in its preamble.

11) Division of Unplatted Parcel

The division of an unplatted parcel of land into two (2), three (3), or four (4) lots involving the dedication of a new street shall require the approval of the Township Board prior to taking such action. All such applications shall be made in writing and shall be accompanied by a drawing of the proposed division. The Township Board shall not approve such application nor shall a building or occupancy permit be issued in such cases until the subdivider has secured the approval of the Bay County Health Department and the Bay County Road Commission, and evidence of such approvals submitted to the Township Board.

Section 4.7 - Planting Strips and Reserve Strips

1) Planting Strips (Greenbelts)

Planting strips may be required to be placed next to incompatible features such as highways, railroads, commercial, or industrial uses where necessary or desirable to screen the view from residential properties. Such planting strips shall be a minimum of twenty (20) feet wide, and shall not be a part of the normal road right-of-way or utility easement.

2) Reserve Strips

a) Reserve Strips - Private

Privately held reserve strips controlling access to streets shall be prohibited.

b) Reserve Strips - Public

A one (1) foot reserve shall be required to be placed at the end of “stub” or “dead-end” streets which terminate at subdivision boundaries and between half streets. These reserves shall be deeded in fee simple to the Township for future street purposes.

Section 4.8 - Large Scale Developments

1) Modification

This Ordinance may be modified in accordance with Article VI in the case of a subdivision large enough to constitute a complete community or neighborhood, consistent with the Master Plan, which provides and dedicates adequate public open space and improvements of the circulation, recreation, education, light, air, and service needs of the tract when fully developed and populated.

2) Neighborhood Characteristics

A community or neighborhood under this provision shall generally be consistent with the Master Plan and contain five hundred (500) living units or more, contain or be bounded by major streets or natural physical barriers as necessary, and shall contain reserved areas of sufficient size to serve its population with school, playgrounds, parks, and other public facilities. Such reserves may be dedicated.

Section 4.9 - Commercial and Industrial Developments

1) Commercial and Industrial Modification

These subdivision design standards may be modified in accordance with Article VI in the case of subdivisions specifically for commercial or industrial development, including shopping districts, wholesaling areas, and planned industrial parks. In all cases, however, adequate provision shall be made for off-street parking and loading areas as well as for traffic circulation.

ARTICLE V

SUBDIVISION IMPROVEMENTS

Section 5.1 - Purpose

The improvements described in this Article will be required to be constructed by the subdivider as conditions for final plat approval.

Section 5.2 - Responsibility for Plans

- 1) It shall be the responsibility of the subdivider of every proposed subdivision to have prepared by an Engineer a complete set of construction plans, including profiles, cross section, specifications, and other supporting data, for the hereinafter required streets, utilities, storm drainage, and other facilities. Such construction plans shall be prepared and approved in conjunction with the final approval of the preliminary plat. Construction plans are subject to approval by the approving bodies listed in Article III, Section 3.3 and shall be prepared in accordance with the standards or specifications of the respective body.
- 2) Upon completion of the required improvements, one (1) complete copy of as-built engineering plans for each required public improvement shall be filed with the Township Clerk coincident with the submission of the final plat. Other requirements and procedures in the submittal of final plats shall be as provided in Section 3.4

Section 5.3 - Required Improvements

- 1) Every subdivider shall be required to install the following public and other improvements in accordance with the provisions of Section 5.3 a) through 5.3 m) of this Ordinance.

- a) Monuments

Monuments shall be set in accordance with the State *Land Division Act* and the rules of the State Department of Treasury.

- b) Streets, Roads and Alleys

All streets, roads and alleys shall be constructed in accordance with the standards and specifications adopted by the Bay County Road Commission.

c) Curbs and Gutters

Curbs and gutters shall be constructed where required by the standards and specifications adopted by the Bay County Road Commission. Construction of curbs and gutters shall be in accordance with Bay County Road Commission standards

d) Installation of Public Utilities

All telephone and electrical utilities shall be installed underground. In addition, all public utilities shall be installed in accordance with the Subdivision Control Act, as amended, and the rules of the Michigan Public Service Commission, as amended.

e) Driveways

All driveway openings shall be as specified by the Michigan Department of Transportation on State and Federal roads and as specified by the Bay County Road Commission for all other roads in the Township.

f) Storm Drainage

- 1) An adequate storm drainage system including necessary storm sewers, drain inlets, manholes, culverts, outlets, bridges, and other appurtenances, shall be required in all subdivisions. The requirements for each particular subdivision shall be established by the Bay County Drain Commissioner.
- 2) Construction of storm drainage systems shall be in accordance with the standards and specifications adopted by the Bay County Drain Commissioner. All proposed storm drainage construction plans for the proposed plats shall be approved by the Bay County Drain Commissioner.

g) Water Supply System

A water distribution system consisting of appropriate water distribution mains, fire hydrants, and other water system appurtenances shall be provided by the subdivider. This system shall meet all the requirements of Bay County, the State of Michigan, Williams Township, and any water supplier with which the Township has contracted for water supply.

- 1) If water transmission lines are adjacent to the subdivision, the water system provided by the subdivider shall be connected to such transmission lines by the subdivider.

- 2) If water transmission lines are reasonably proximate to the subdivision, then the subdivider shall bear the cost of extending such transmission lines to the subdivision. After such extension is completed, the water system provided by the subdivider shall be connected to the water transmission lines by the subdivider.

h) Sanitary Sewer System

When connection to a public sanitary sewer system is probable within a reasonable period of time, a sanitary sewer system consisting of appropriate sewer lines, lift stations, and other sanitary sewer system appurtenances shall be provided by the subdivider. This system shall meet all requirements of Bay County, the State of Michigan, Williams Township, and any agency with which the Township has contracted for the treatment and disposal of its sewage.

- 1) If sanitary sewer transmission lines are adjacent to the subdivision, the sanitary sewer system provided by the subdivider shall be connected to such transmission lines by the subdivider.
- 2) If sanitary sewer transmission lines are reasonably proximate to the subdivision, then the subdivider shall bear the cost of extending such transmission lines to the subdivision. After such extension is completed, the sanitary sewer system provided by the subdivider shall be connected to the sanitary sewer transmission lines by the subdivider.

i) Street Name Signs

Street name signs shall be installed in the appropriate locations at each street intersection in accordance with the requirements of the Bay County Road Commission.

j) Sidewalks and Crosswalks

- 1) Sidewalks shall be required on both sides of all streets within the plat where curbs and gutters are required.
- 2) Crosswalks, when required by Section 4.3, 1), shall have easements at least ten (10) feet in width and include a paved walk at least five (5) feet in width, located generally along the centerline of the easement, dedicated as a public pedestrian walkway.

k) Street Lighting

Street lights shall be required to be installed every five hundred (500) feet and at all intersections in the subdivision. All such lighting shall comply with all applicable Township ordinances as well as requirements of the public utility providing such lighting. The subdivider shall prepare, and all property owners shall sign a petition for the creation of a special assessment district of lighting purposes pursuant to Act 264 of 1917, as amended, (MCL 41.251 et seq.) (MSA 5.2481 et seq.) to cover the cost of operating and maintaining the street lights within the subdivision. All property owners may waive notice of hearing thereon and consent to the creation of a special assessment in lieu of having a public hearing thereon.

l) Greenbelts

Where it is generally necessary for the protection of residential properties to have greenbelts or landscaped planting strips located between a residential development and adjacent major arterial streets, said greenbelts or landscaped planting strips shall be provided.

m) Traffic Control Signs

Traffic control signs and/or warning devices shall be installed as may be determined necessary by the Bay County Road Commission.

Section 5.4 - Guarantee of Completion of Improvements Required by the Township

1) Guarantee Arrangements, Exceptions

The construction of all improvements required by this Ordinance shall be completed by the subdivider and approved by the Township Board prior to final plat approval. In lieu of the actual installation and approval of all public improvements required by this ordinance prior to final plat approval, the Township Board may, in its discretion, for those requirements which are over and beyond the requirements of the Bay County Road Commission, Bay County Drain Commissioner, or any other agency responsible for the administration, operation and maintenance of the applicable public improvements, permit the subdivider to guarantee completion of such required improvements in one or a combination of the following arrangements.

In each instance where the subdivider is to guarantee completion of required improvements, the Township and the subdivider shall enter into a written agreement specifying in detail the nature of the required improvements, the time in which these improvements are to be completed, provisions for checking or inspecting the construction of each such improvements to determine its conformity to the submitted construction plans and specifications, and the nature of the financial guarantee of performance which is to be provided by the subdivider for each such improvement. The Township Board may, on recommendation from the Planning Commission, waive financial guarantees of the completion of required improvements in the case of sidewalks, street lights, or street trees.

2) Financial Guarantees Shall be Provided as Follows:

a) Performance of Surety Bond

1) Accrual

The bond shall accrue to the Township and shall cover the full cost of constructing and installing the specific public improvement and, where applicable, placing the specific public improvements in operation.

2) Amount

The bond shall be in an amount equal to the total estimated cost for completing construction and installation of the specific public improvement, including contingencies as estimated by the Township Board, as well as, where applicable, the total estimate of the cost of placing the specific public improvement in operation, including contingencies, as estimated by the Township Board.

3) Term

The term if the bond shall be for such period as shall be specified by the Township Board.

4) Bonding or Surety Company

The bond shall be written by a surety company authorized to do business in the State of Michigan acceptable to the Township Board.

b) Cash Deposit, Certified Check, Negotiable Bond, or Irrevocable Bank Letter of Credits

1) Treasurer, Escrow Agent, or Trust Company

A cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit, such bond or letter of credit to be approved by the Township Board, shall be deposited with the Township. Such deposit shall be made pursuant to a written escrow agreement between the subdivider and the Township. The escrow agreement may provide that the deposit will be held by the Township Treasurer or, in the alternative, subject to approval by the Township Board, that the deposit be held by a State or National banking corporation.

2) Dollar Value

The cash deposit, certified check, negotiable bond, or irrevocable bank letter of credit shall be in an amount equal to the total estimated cost of construction and installation of the specified public improvement including contingencies, as estimated by the Township Board, as well as, where applicable, the total estimate of the cost of placing the specific public improvements in operation, including contingencies, as estimated by the Township Board.

3) Term

The deposit shall be retained by the Township Board for a period to be specified by the Township Board.

- c) The agreement between the Township and the subdivider may provide that the amount of the bond provided pursuant to subsection a) above or the deposit provided pursuant to subsection b) above be progressively reduced as the specified public improvements are completed.

3) Penalty in Case of Failure to Complete the Construction of a Public Improvement

In the event the subdivider shall, in any case, fail to complete a public improvement within the period of time specified in his agreement with the Township for the completion of said public improvements, the Township Board may, at its option, proceed to have the public improvement completed. The agreement between the subdivider and the Township shall provide that all costs and expenses incurred by the Township in completing the public improvements shall be reimbursed from the bond or deposit provided pursuant to subsection 2) a) or 2) b) above.

ARTICLE VI

VARIANCES

Section 6.1 - General

The Township Board may, on written application from the proprietor and after receipt of a recommendation from the Planning Commission, grant a variance from the provisions or requirements of this Ordinance which are under the Board's control. The Planning Commission shall hold a public hearing prior to making its recommendation. Notice of the hearing shall be given in the same manner as is required in *Section 3.2 2) d.* of this Ordinance. No variance shall be recommended by the Planning Commission, or granted by the Township Board unless there are findings that:

- 1) There are such special circumstances or conditions affecting the property in question such that strict application of the provisions or requirements of this Ordinance would clearly be impracticable or unreasonable.
- 2) The granting of the variance will not be detrimental to the public welfare or injurious to other property in the areas in which the subdivision is situated.
- 3) The variance will not violate the provisions of the *Land Division Act*;
- 4) The variance will not have the effect of nullifying the interest and purpose of this Ordinance, the Master Plan and Zoning Ordinance, as amended.

The Township Board shall make findings and state specific reasons for granting any variance which shall be recorded in its meeting minutes.

Section 6.2 - Planned Unit Development Variance

A subdivider may request a variance of certain provisions or requirements of this Ordinance in the case of a planned unit development. Such request for a variance shall be considered and acted upon in the same manner as is provided in *Section 6.1*, above. In making its recommendation for the Township Board, the Planning Commission shall consider:

- 1) Whether the planned unit development provides adequate public spaces and includes provisions for efficient circulation, light and air, and other needs.
- 2) The nature of the proposed use of land and existing use of land in the vicinity.
- 3) The number of persons to reside or work in the proposed planned unit development.

- 4) The probable effect of the proposed planned unit development upon traffic conditions in the vicinity.
- 5) Whether the proposed planned unit development will constitute a desirable and stable community development.
- 6) Whether the proposed planned unit development would be in harmony with adjacent areas.

ARTICLE VII

ADMINISTRATION, ENFORCEMENT AND PENALTIES FOR FAILURE TO COMPLY WITH THIS ORDINANCE

Section 7.1 – Administration

This Ordinance shall be administered by the Township Board in accordance with the *Land Division Act, 1967 P.A. 288*, as amended, and the *Michigan Planning Enabling Act, 2003 P.A. 33*, as amended. The rules, regulations and standards imposed by the Ordinance shall be considered to be the minimum requirements for the protection of the public health, safety and welfare of the citizens of the Township; and in interpreting and applying them, primary consideration shall be given to these factors.

Section 7.2 - Enforcement

No plat required by this Ordinance or the *Land Division Act*, as amended, shall be submitted to the public land records of the County or received or recorded by the Bay County Register of Deeds until such plat has received final approval by the Township Board. No public board, agency, commission, official or other authority shall proceed with the construction of, or authorize the construction of, any of the public improvements required by this Ordinance (unless such public improvement shall have already been accepted, opened or otherwise received the legal status of a public improvement prior to the adoption of this Ordinance) unless such public improvement shall comply in its location and in all other respects with the requirements of this Ordinance.

Section 7.3 - Penalties

Penalties for failure to comply with the provisions of this Ordinance shall be as follows:

Violation for any of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500) or imprisoned for not more than ninety (90) days, or both. Each day such violation constitutes shall be considered a separate offense. The land owner, tenant, subdivider, builder, public official, or any other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township Board or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this Ordinance or of the *Land Division Act*, as amended.

ARTICLE VIII

AMENDMENTS

Section 8.1 - Procedures

The Township Board may, from time to time, amend or supplement this Ordinance. A proposed amendment, supplement or repeal may be originated by the Township Board or by the Planning Commission. All proposals not originating with the Planning Commission shall be referred to it for a report thereon before any action is taken on the proposal by the Township Board. Such report shall be submitted in writing to the Township Board within sixty (60) days from the date on which the proposal is referred to the Planning Commission. If such report is not received within sixty (60) days, then the Township Board may act on the proposal without the report of the Planning Commission.

ARTICLE IX

MISCELLANEOUS PROVISIONS

Section 9.1 - Administrative Liability

No officer, agent, employee, or member of the Planning Commission or Township Board shall render himself personally liable for any damage that may occur to any person as the result of any act, decision, or other consequence or occurrence arising out of the discharge of his duties and responsibilities pursuant to this ordinance.

Section 9.2 - Severability

This Ordinance and the various parts, sections, subsections, paragraphs, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, section, subsection, paragraph, sentence, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby.

Section 9.3 - Effective Date

This Ordinance was adopted at a regular meeting of the Williams Township Board on the 28th day of January, 1980, and is ordered to take effect thirty (30) days after publication in the Bay City Democrat on or before the 7th day of February, 1980.

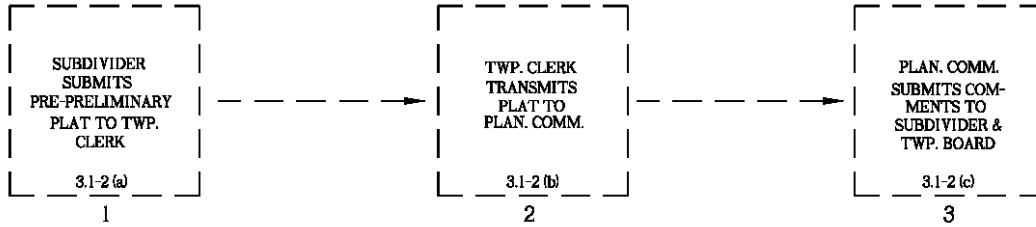
This Ordinance was amended by Ordinance No. 48-A and adopted by the Williams Township Board on the 12th day of May, 1992 and published in the Bay City Democrat on the 21st day of May, 1992.

This Ordinance was further amended by Ordinance No. 48-B and adopted by the Williams Township Board on the 9th day of November, 1993 and published in the Bay City Democrat on the 26th day of November, 1993

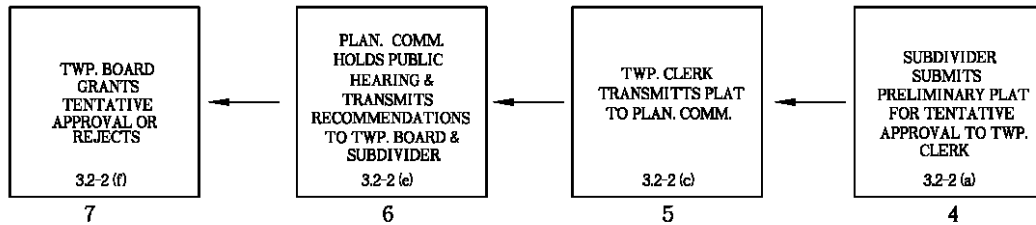
This Ordinance was further amended by Ordinance No. 48-C and adopted by the Williams Township Board on the 4th day of June, 2002 and published in the Bay City Democrat on the 20th day of June, 2002.

This Ordinance was further amended by Ordinance No. 48-D and adopted by the Williams Township Board on the 13th day of June, 2006 and published in the Bay City Democrat on the 22nd day of June, 2006.

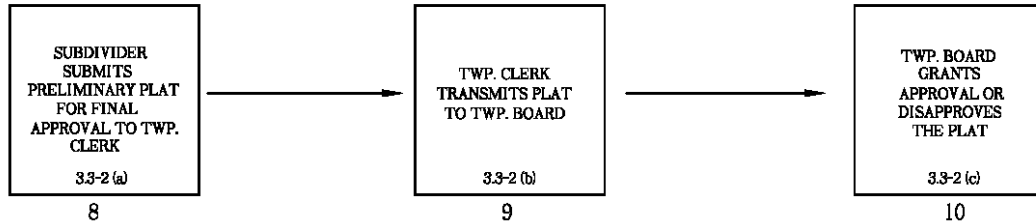
APPENDIX A SUBDIVISION REVIEW PROCEDURES



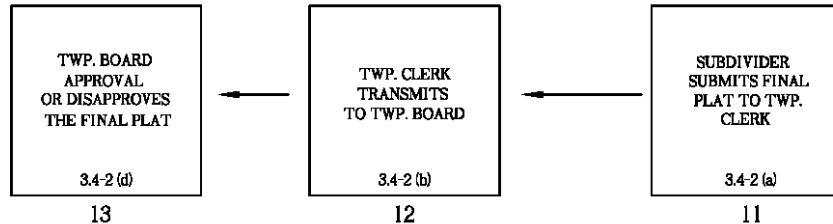
PRE - PRELIMINARY PLAT (OPTIONAL)



PRELIMINARY PLAT - TENTATIVE APPROVAL



PRELIMINARY PLAT - FINAL APPROVAL



FINAL PLAT APPROVAL

APPENDIX B

SUBDIVISION DESIGN STANDARDS

The Subdivision Design Standards were originally prepared through a joint effort of the Michigan Departments of Commerce, Treasury and State Highways and Transportation with the assistance of the Tri-County Regional Planning Commission. They have been condensed and modified to meet the particular needs of Williams Township.

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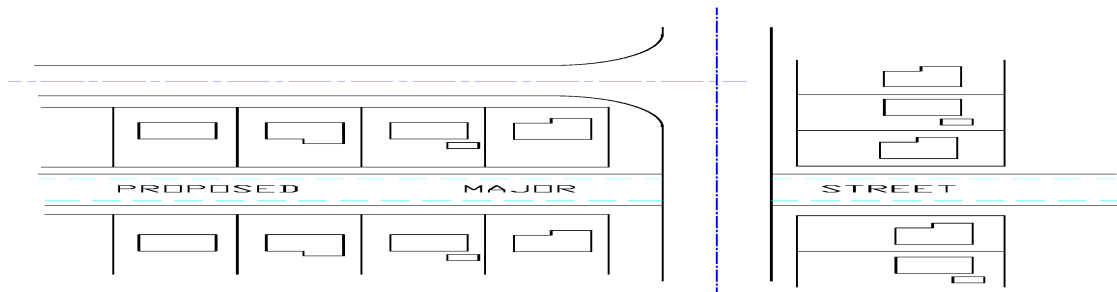
ARTICLE IV

SUBDIVISION DESIGN STANDARDS

Sec. 4.1 STREETS AND ROADS

Sec. 4.2 (1) STREET LOCATION AND ARRANGEMENTS

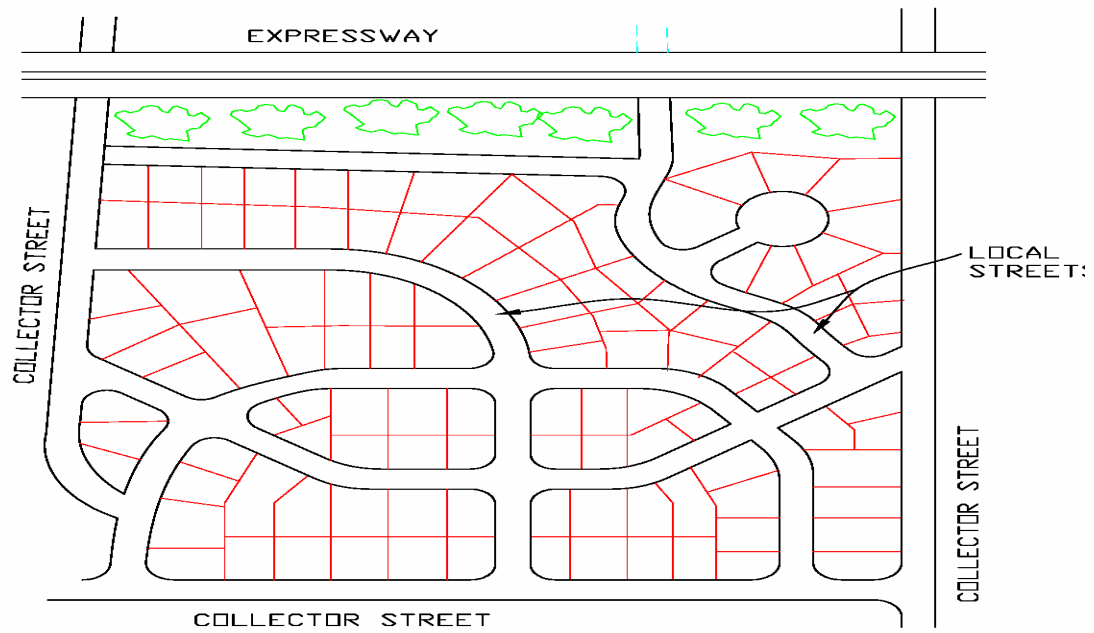
When a Major Street Plan has been adopted, subdivisions should be required to conform to the plan. Arterials should be dedicated or reserved in the locations and widths shown on the plan as a condition of plat approval. This is the only way street travel can be accommodated on a coordinated and continuous network throughout the community. Although collector and local streets are rarely located on a major street plan, they should be provided in adequate widths. In addition, intersections of local streets with arterials should provide for traffic safety by having sufficient sight distances.



(NOTE: This Appendix, Subdivision Design Standards, is designed for the purpose of providing information to the reader on broad standards relative to subdivision design and engineering standards. This information has been indexed to correspond with the Articles and Sections of the Ordinance.)

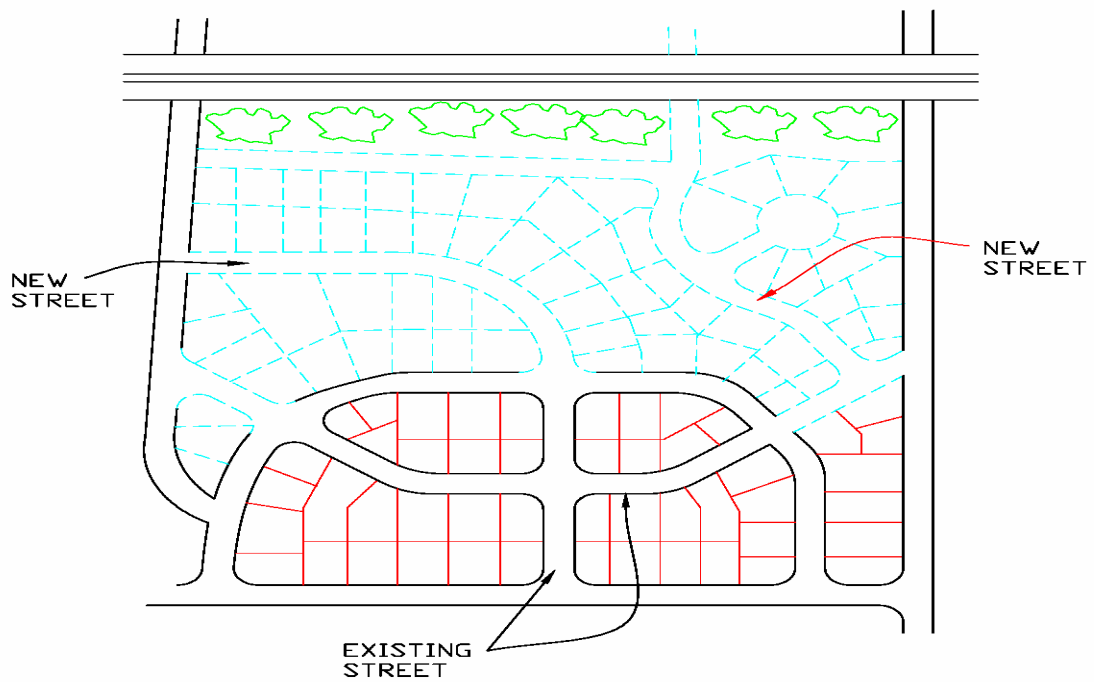
Sec. 4.1 (2) **MINOR STREETS**

Minor (local) streets should be so arranged as to discourage their use by through traffic. High speed driving and high traffic volumes are detrimental to the health and safety of residential areas and should be minimized.



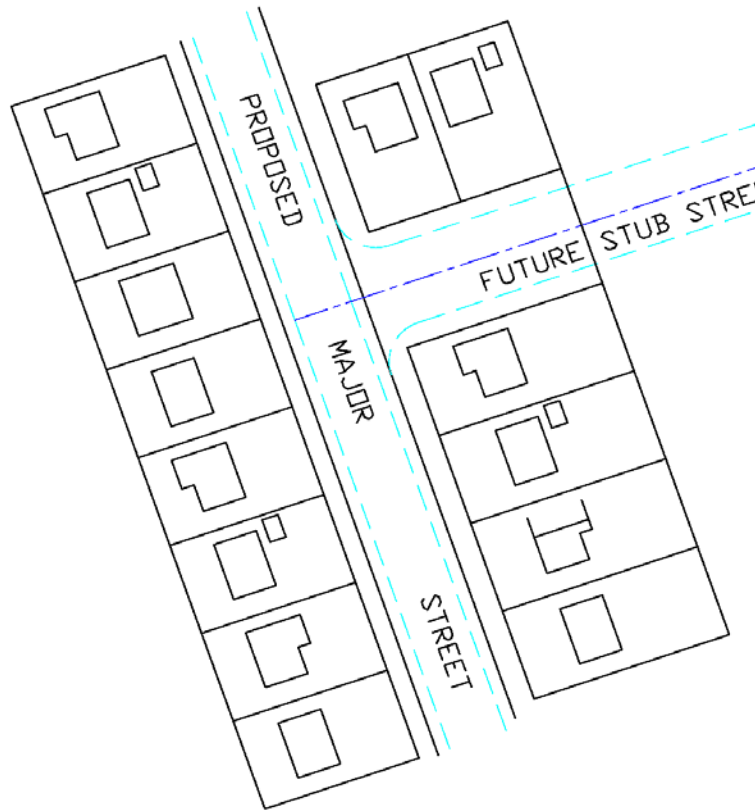
Sec. 4.1 (3) **STREET CONTINUATION AND EXTENSION**

The arrangement of streets should provide for the continuation of existing streets from adjoining areas into new subdivisions where this is desirable.



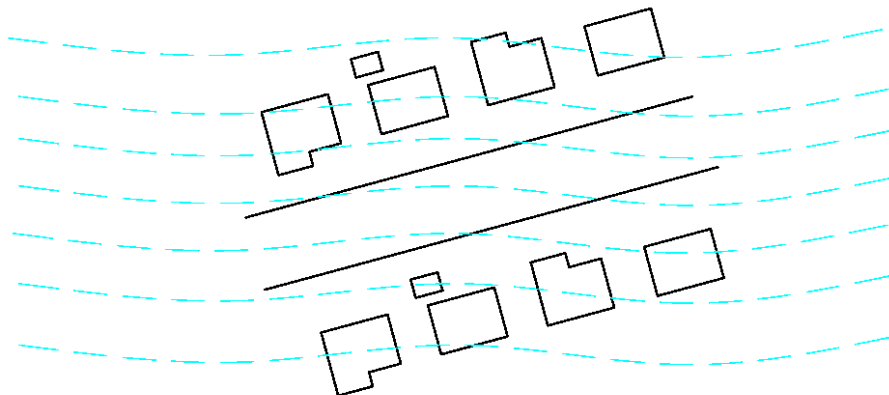
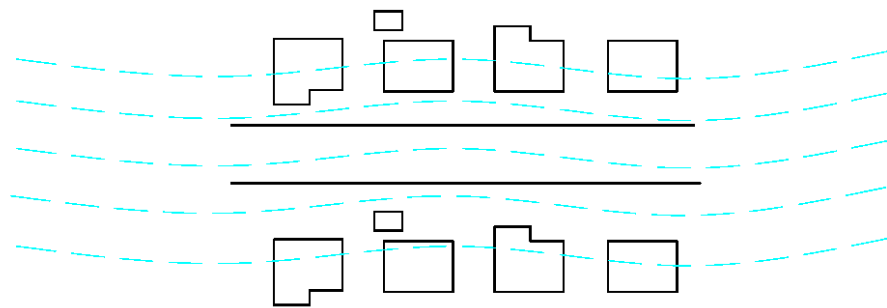
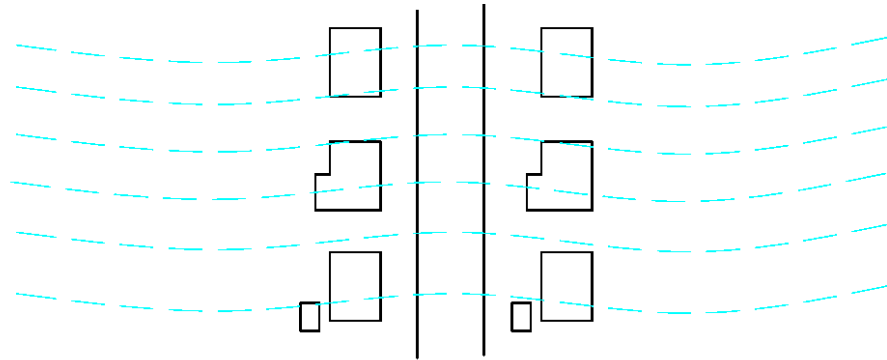
Sec. 4.1 (4) **STUB STREETS**

Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions should be extended to the boundary line of the tract to make provisions for the future projection of streets into adjacent areas and shall terminate with an adequate temporary cul-de-sac as required in Section 4.1, 7).



Sec. 4.1 (5) **RELATION TO TOPAGRAPHY**

Streets should be arranged in proper relation to topography so as to result in usable lots, safe streets, and reasonable gradient.

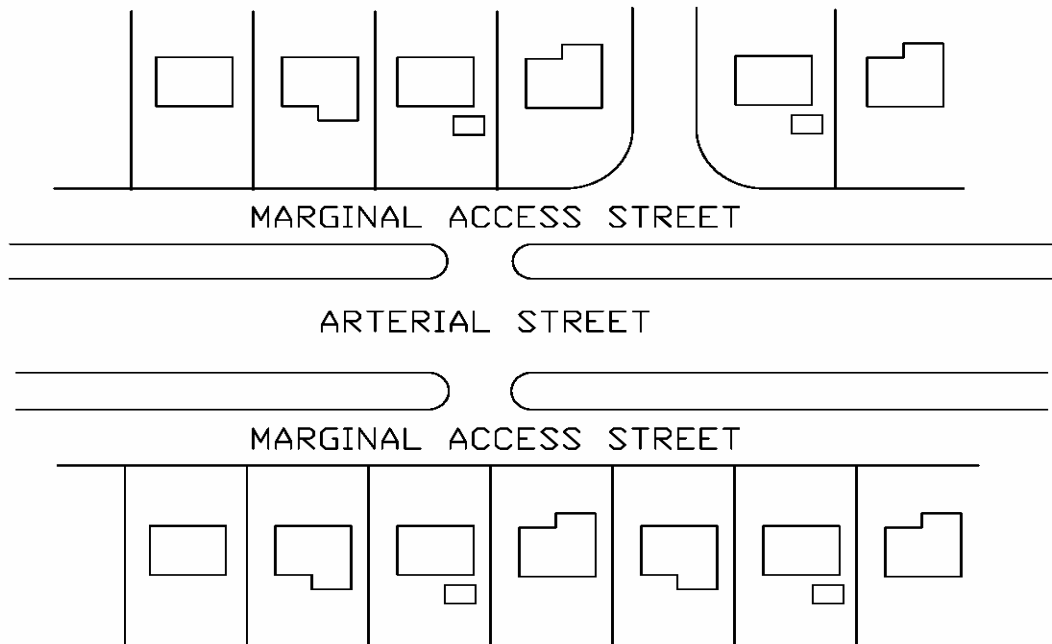


Sec. 4.1 (6) **ALLEYS**

Alleys shall not be permitted in areas of detached single or two (2) family residences. Alleys may be provided in multiple family, commercial or industrial subdivisions unless Other provisions are made for service access, off-street loading and parking. Dead-end Alleys shall be prohibited.

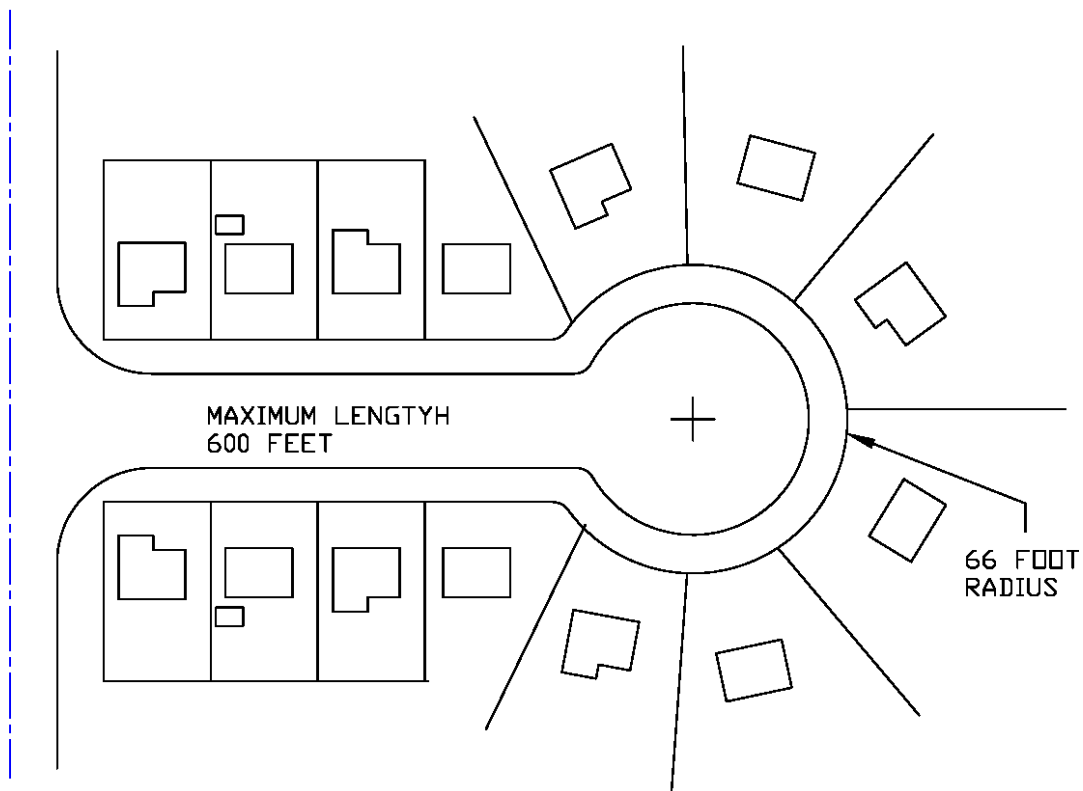
Sec. 4.1 (7) **MARGINAL ACCESS STREETS**

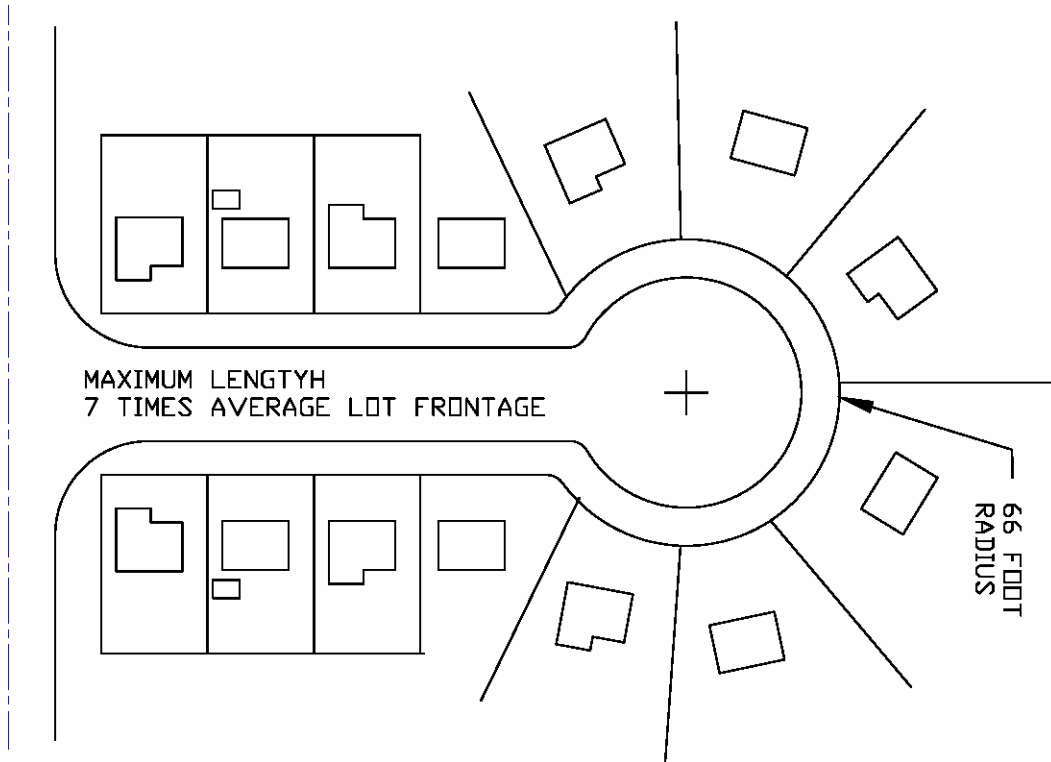
Where a subdivision abuts or contains an arterial street, marginal access streets (or other treatments - see section on lots for alternatives) should be provided approximately parallel to and on each side of the right-of-way, at a distance suitable for the use of the intervening lands for park purposes or planting screens. This will provide protection for residential properties and separate through from local traffic.



Sec. 4.1 (8) **CUL-DE-SAC STREETS**

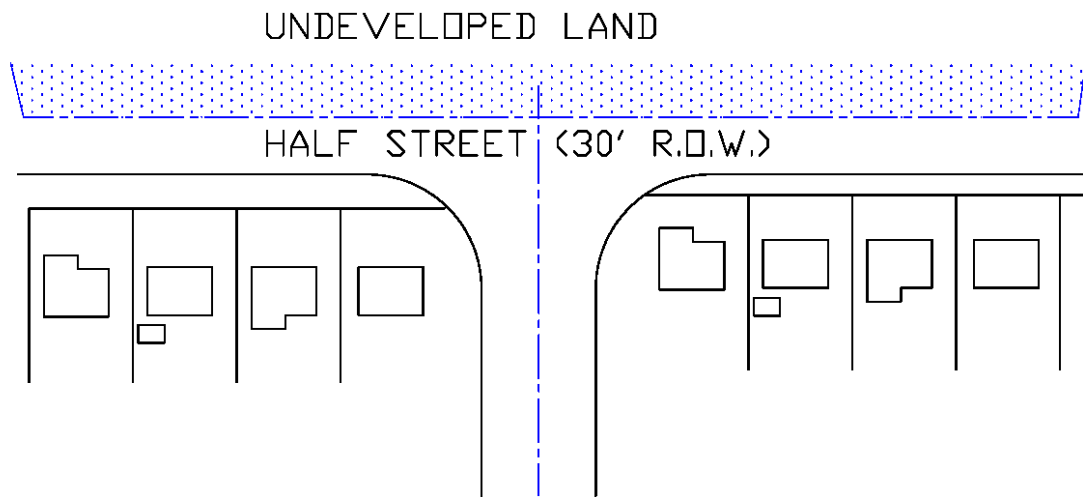
Cul-de-sac streets provide privacy and eliminate through traffic movement on residential streets. Nevertheless, some traffic authorities feel that no more than 20 residences should be located on a cul-de-sac to minimize the problems of fire protection, trash collection, drainage, and traffic control. Because of these problems, a cul-de-sac should not normally be longer than 600 feet in length. A longer cul-de-sac may be approved under appropriate circumstances when following stated standards. Cul-de-sacs should terminate with an adequate turn around with a radius of 66 feet for right-of-way and 50 feet for pavement. Special consideration, however, may be given longer cul-de-sacs under certain topographic conditions or other unusual situations.





Sec. 4.1 (9) **HALF STREETS**

Half streets result in serious traffic hazards, problems of securing adequate improvements, unsatisfactory access, and poor residential frontage. They should be prohibited, except where essential to the reasonable development of the subdivision and where it will be practicable to obtain dedication of the other half of the street from the adjoining land at the same time.



Sec 4.1 (10) **PRIVATE STREETS**

Private streets should be discouraged, since they usually result in future maintenance problems because of the difficulty in obtaining agreement among abutting property owners for improvement financing.

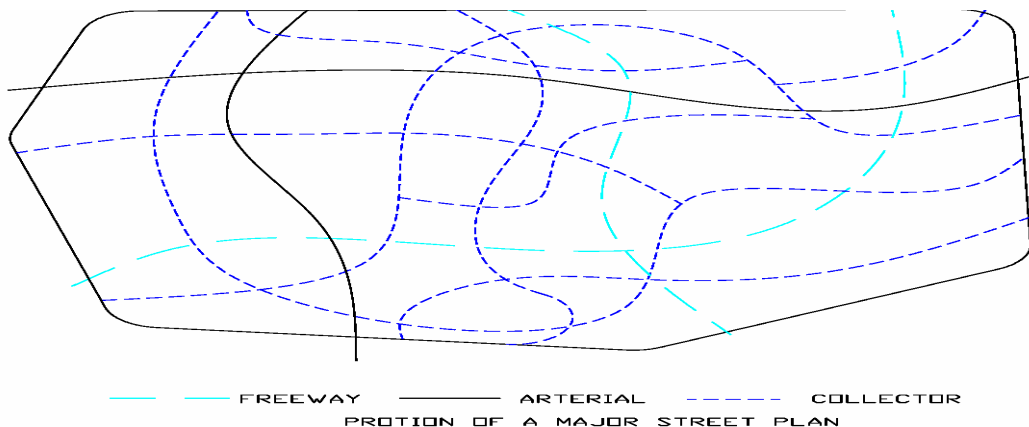
Sec. 4.1 (11) **STREET RIGHT-OF-WAY AND ROADWAY WIDTHS**

The two most important considerations are that new streets be in the proper locations and have adequate widths. Major streets should be located so that continuous travel is possible from area to area, and they should be of a width to handle all anticipated traffic for the life of the facility.

However, it is difficult to make determinations on location and width without a Major Street Plan. Such a plan would show existing and proposed locations for major streets and highways, along with the widths needed to perform particular functions.

The types of streets and their major functions are:

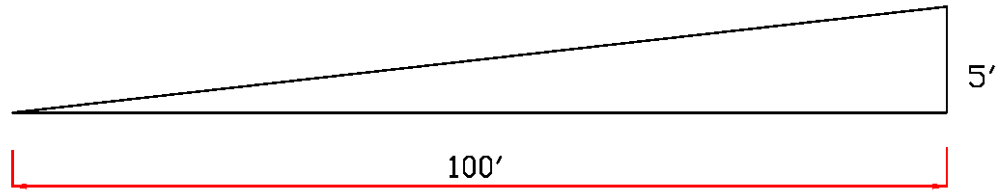
- | | |
|--------------------------|--|
| *Minor Streets | primarily to provide abutting properties access to |
| *Collector Streets | to provide some access but principally to gather traffic from local streets and to carry it to an arterial |
| *Arterial Streets | major traffic facilities which funnel traffic from collectors to destinations or freeways |
| *Expressway and Freeways | high efficiency thoroughfares which carry high traffic volumes and are characterized by limited access and grade separated intersections |



Sec. 4.1 (12) **STREET GRADIENTS**

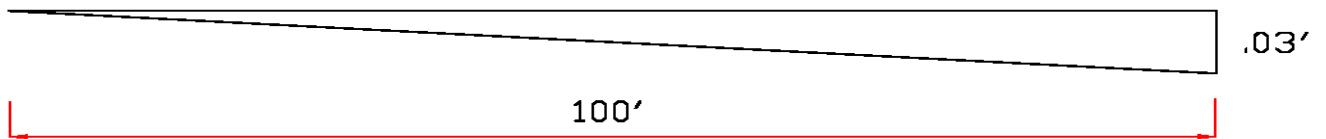
(a) **MAXIMUM GRADES**

To reduce traffic hazards due to slippery pavements from ice or snow, street grades should not exceed 5% on local (minor) and collector streets.



(b) **MINIMUM GRADES** (Streets and Ditches)

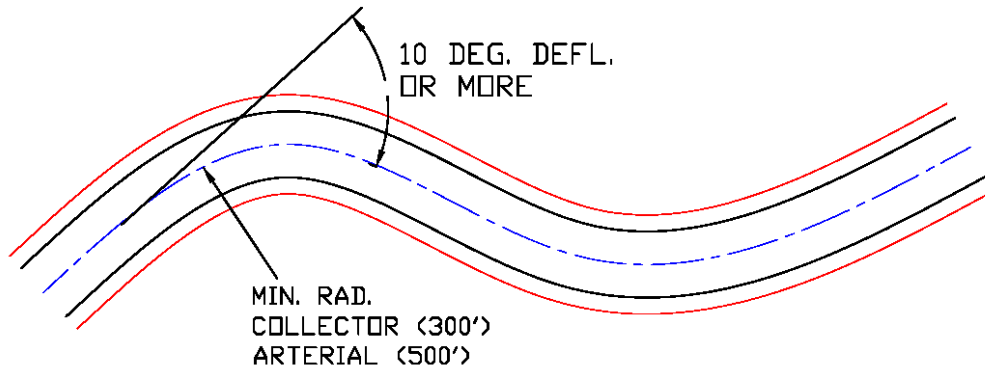
To allow satisfactory drainage of storm water, no street or ditch grade should be less than 0.3%.



Sec. 4.1 (13) **STREET ALIGNMENT**

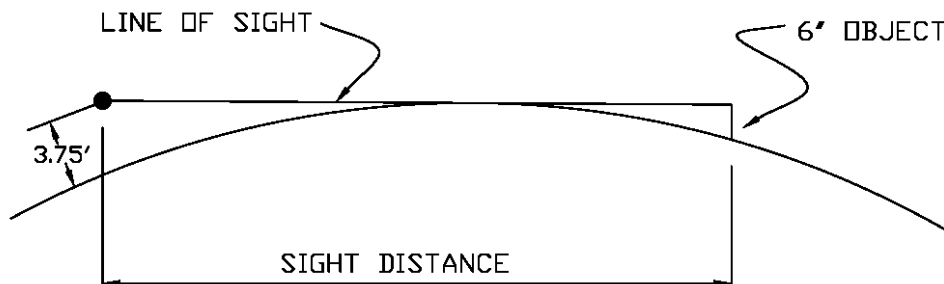
(a) **HORIZONTAL ALIGNMENT**

When street lines deflect from each other more than 10 degrees in alignment, the centerlines should be connected by a curve with a minimum radius of 500 feet for arterial streets and 300 feet for collector streets.



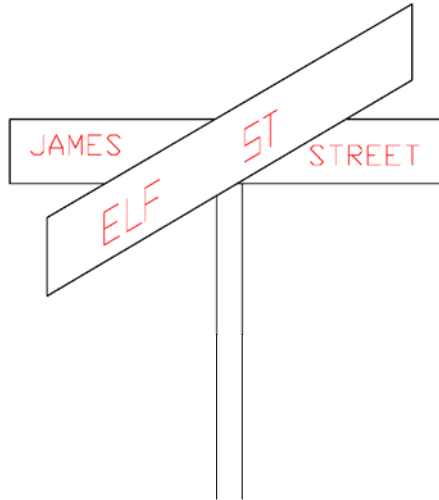
(b) **VERTICAL ALIGNMENT** (Centerline Sight Distance)

Minimum centerline sight distances are relative to the designed speed of the street and should be measured above the street centerline, using a driver eye height of 3.75 feet and an object height of 6 inches. Minimum centerline sight distances should be 200 feet for minor streets and 300 feet for collector streets.



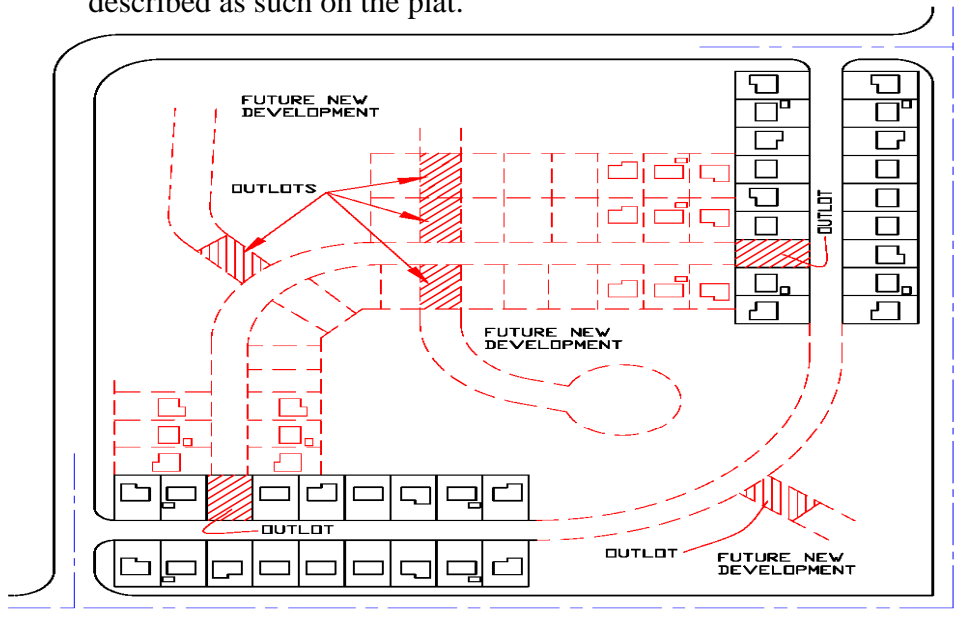
Sec. 4.1 (14) **STREET NAMES**

Although not necessarily a design item, street names should not duplicate any existing street in the County or region, except where a new street is a continuation of an existing street. Street names that may be spelled differently but sound the same should also be avoided. Duplications can be avoided by checking new street names with a master listing maintained by the county road commission.



Sec. 4.1 (15) **OUTLOTS**

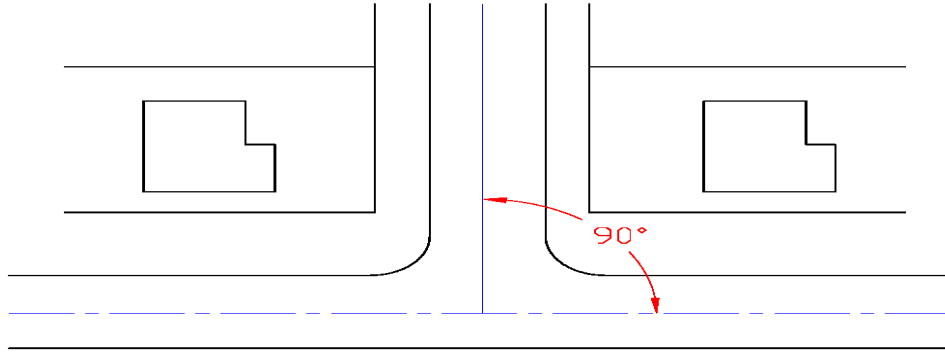
Outlots which are to become the right-of-way for future streets must be described as such on the plat.



Sec. 4.2 **INTERSECTIONS**

Sec. 4.2 (1) **ANGLE OF INTERSECTION**

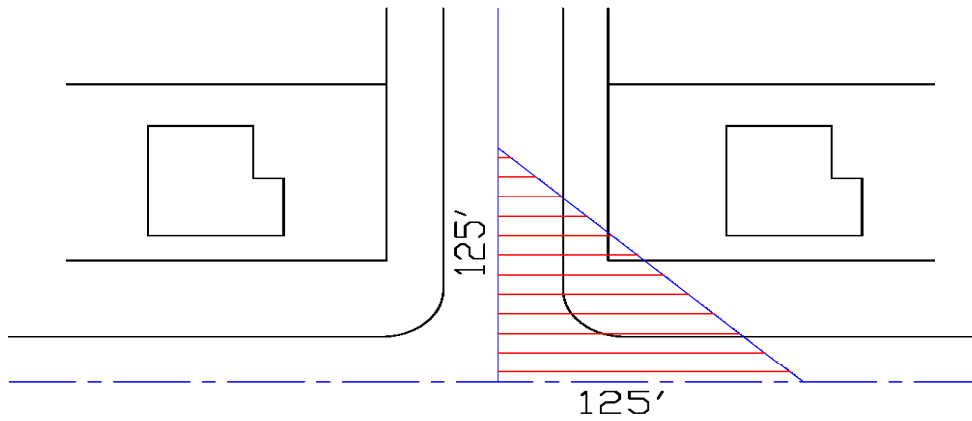
Streets should intersect as nearly to 90 degrees as possible and in no case should the angle of intersection be less than 80 degrees. This reduces traffic hazards by providing better sight distances and provides for better shaping of lots.



Sec. 4.2 (2) **SIGHT TRIANGLES**

Minimum clear sight distance should be established at all intersections. On all streets a vehicle should be visible to the driver of another vehicle on the cross street when each is 125 feet from the center of the intersection.

The needed sight distance can be obtained by restricting the height of lot embankment, location of buildings and fences, planting of low growing trees and shrubs and restricting vehicle parking. The clear sight distance permits subdivision intersections to operate safely with a minimum of control devices.



Sec. 4.2 (3) **NUMBER OF STREETS**

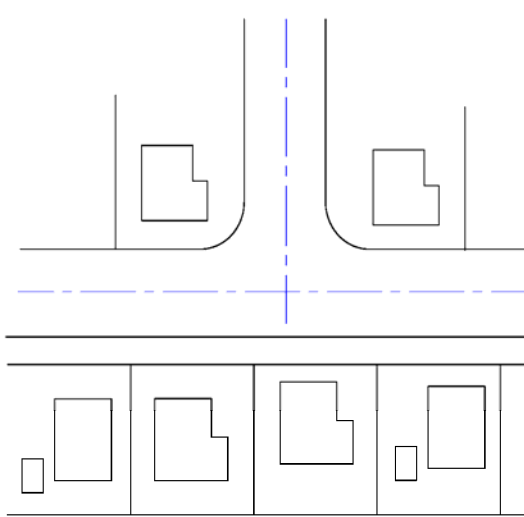
The following is from: "Recommended Practices for Subdivision Streets," the Institute of Traffic Engineers:

There should be a minimum of intersections. Within the subdivision and especially along abutting arterial routes, intersections pose a major accident potential. The fewer intersections there are, consistent with other requirements, the fewer accidents there will be. From the standpoint of hazard, however, use of two T-type intersections with proper offset is referable to using one cross-type.

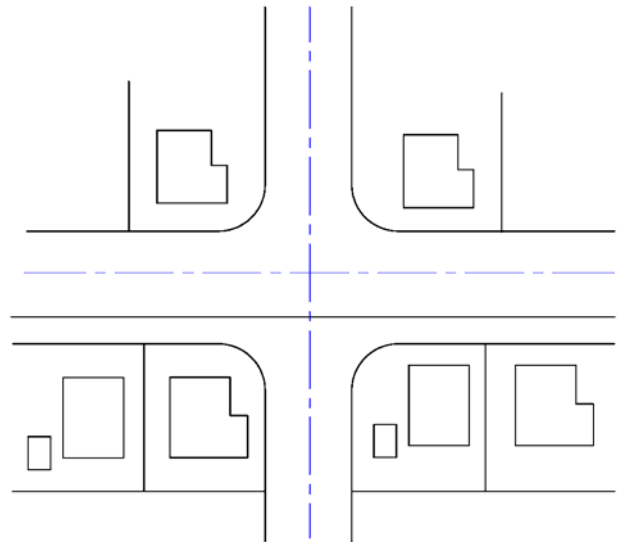
No more than two streets should meet at any one intersection (refer to the sketch on the preceding page).

Sec. 4.2 (4) **"T" INTERSECTIONS**

Within the subdivision and especially along arterial routes, the number of intersections can pose a major accident potential. The number of intersections, consistent with other design requirements, should be kept to a minimum. However, from the standpoint of hazard, the use of two T-type intersections (with proper offset) is preferred over the 4-way type on local roads.



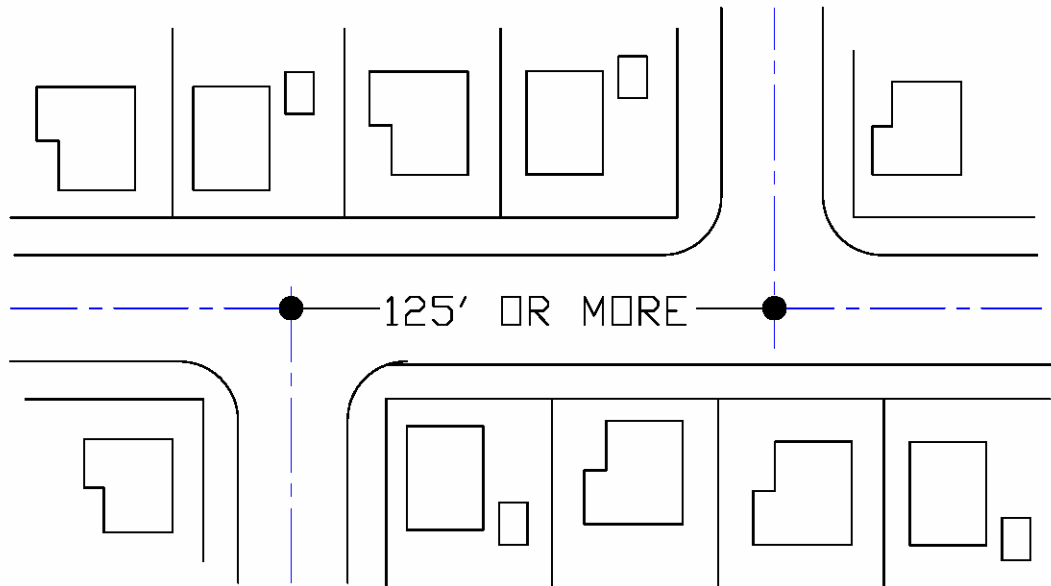
"T" INTERSECTION



4 WAY INTERSECTION

Sec. 4.2 (5) **CENTERLINE OFFSETS**

To avoid a slight jog and the hazard of “corner-cutting,” the centerlines of T-intersections on local streets within the subdivision should be offset at least 125 feet. For adequate left turn storage, when the cross street is a collector or arterial, the offset distance should be increased.



Sec. 4.2 (6) **VERTICAL ALIGNMENT OF INTERSECTIONS**

A nearly flat grade with appropriate drainage slopes is desirable within intersections. This flat section should be carried back 50 to 100 feet each way from the intersection. Level, or nearly level, intersection approaches are considered safety aids by providing better conditions for stopping and proper visibility.

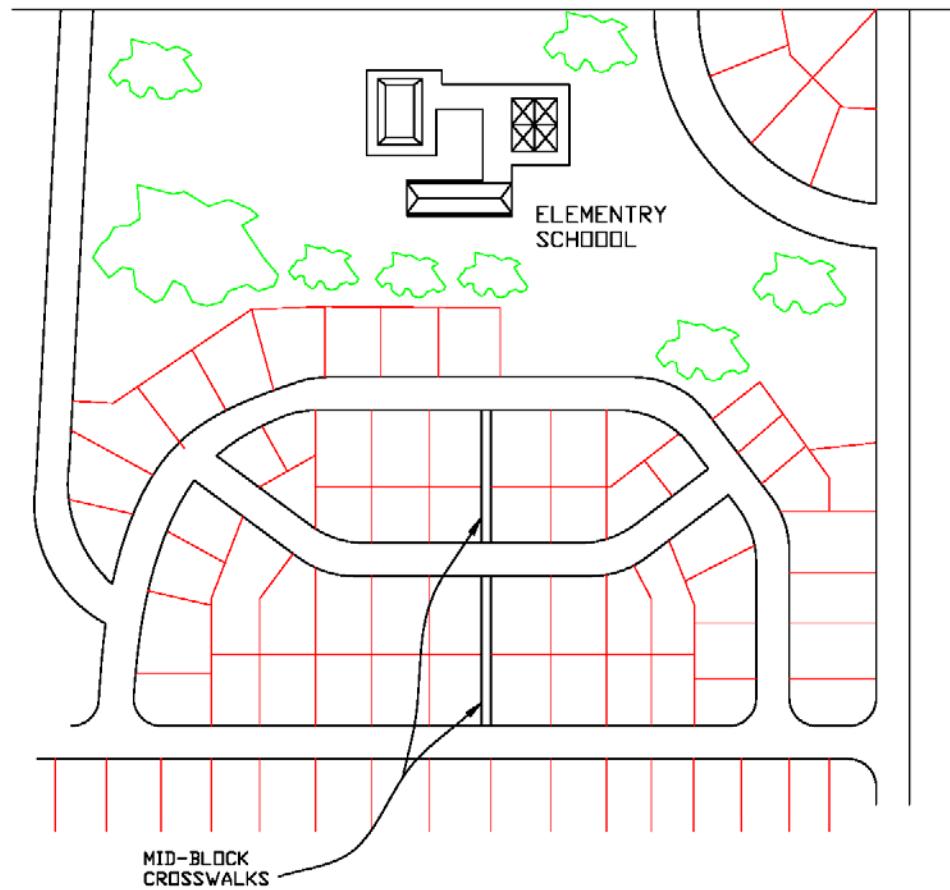
The following is from: “Recommended Practices for Subdivision Streets,” the Institute of Traffic Engineers:

Vertical alignment within intersection area. Intersection areas should be designed with a flat grade. In the more difficult terrains, this becomes economically impractical. An allowance of 2% maximum intersection grade in rolling and 4% in hilly is recommended.

Sec. 4.3 **PEDESTRIANWAYS**

Sec. 4.3 (1) **CROSSWALKS**

Rights-of-way for pedestrian crosswalks in the middle of long blocks should be required where necessary to obtain convenient pedestrian circulation to parks, schools, or shopping areas. They should be at least 10 feet wide and extend entirely through the block.



Sec. 4.3 (2) **SIDEWALKS**

Sufficient right-of-way should be provided so that sidewalks may be installed on both sides of all streets.

The following is from, “Recommended Practices for Subdivision Streets,” the Institute of Traffic Engineers:

Sidewalk Width In today’s typical subdivision, sidewalks have the following function:

- A. Providing for maximum safety of children playing in their block.
- B. Protection of children walking to and from schools and neighborhood parks.
- C. Provision for adults to walk to and from neighborhood shopping and transit stops (if any).

Sidewalks should ordinarily be provided along streets used for pedestrian access to schools, parks, shopping areas and transit stops. Paved sidewalks should also be provided within pedestrian ways giving mid-block access to these types of generators.

In the very low density subdivisions, walking distance to regular elementary schools is often excessive. In communities where all such travel is by way of school buses, no need may exist for sidewalk construction as a standard policy.

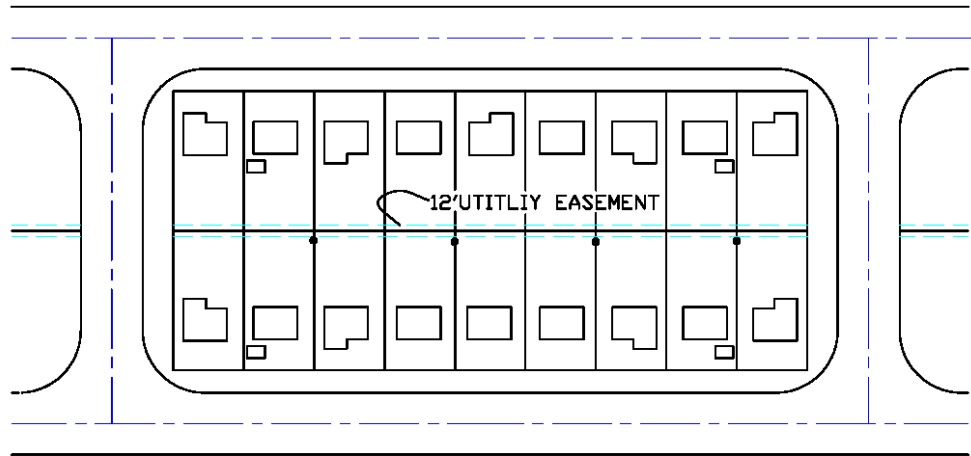
Sidewalk Distance from Curb Face Many agencies specify a standard location for sidewalk is one foot from right-of-way line. This location has the following advantages where proper right-of-way width and attendant border area remain between the street edge of sidewalk and curb face:

- A. Children walking and playing side by side have increased safety from street traffic.
- B. Conflict between the pedestrians and garbage or trash cans awaiting pick-up at the curb is eliminated by using the border area for such temporary storage.
- C. The warped area necessary for a proper driveway gradient is minimized by having a major portion of this gradient fall within the border area.
- D. Danger of collision by run-off-road vehicles is minimized by placement of the walk at maximum practical distance from the curb, and with further separation by planting.

Sec. 4.4 **EASEMENTS**

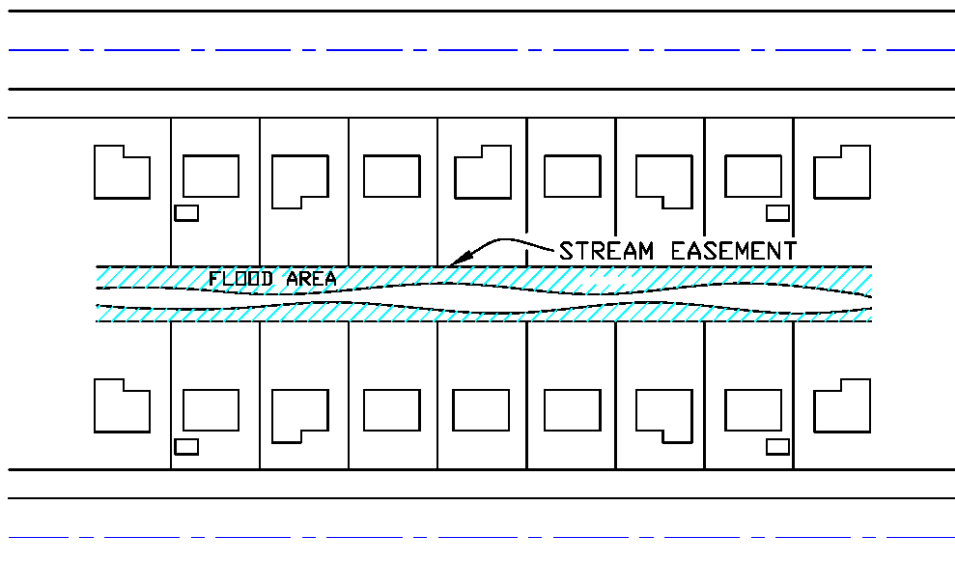
Sec. 4.4 (1) **EASEMENT LOCATION**

Easements should be provided along rear or side lot lines as necessary for utility lines. The total width should not be less than 12 feet. The usual practice is to have the easement straddle property lines resulting in a 6-foot easement on the lot and 6 feet on the adjacent lot.



Sec. 4.4 (2) **DRAINAGEWAYS**

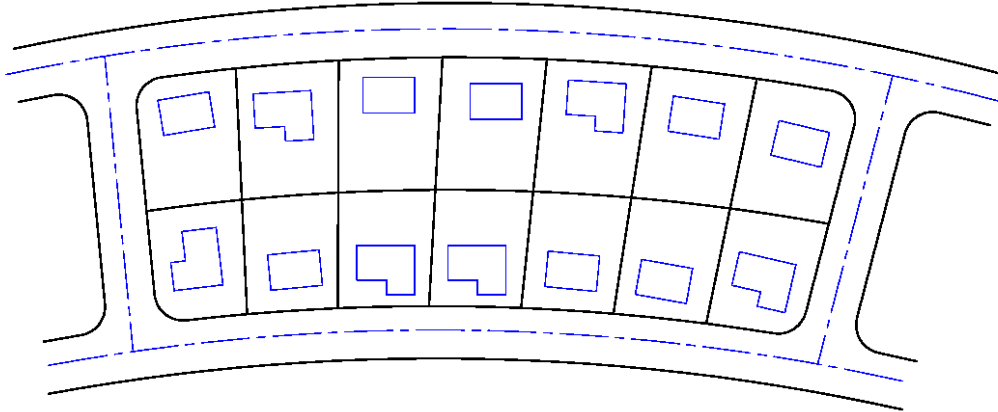
Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, a storm water easement or drainage right-of-way should be provided which conforms substantially with the lines of such watercourse or right-of-way to minimize flooding during periods of heavy rains.



Sec. 4.5 **BLOCKS**

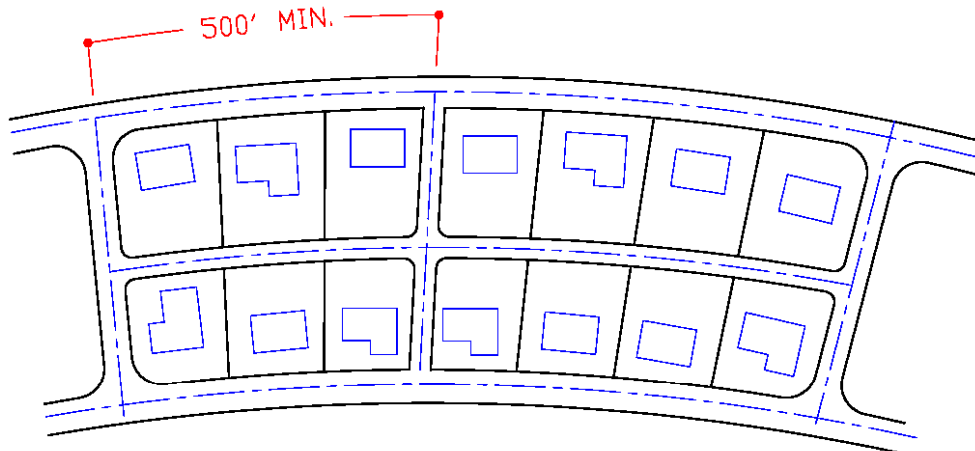
Sec. 4.5 (1) **ARRANGEMENT**

Two tiers of lots will permit more economical land use.



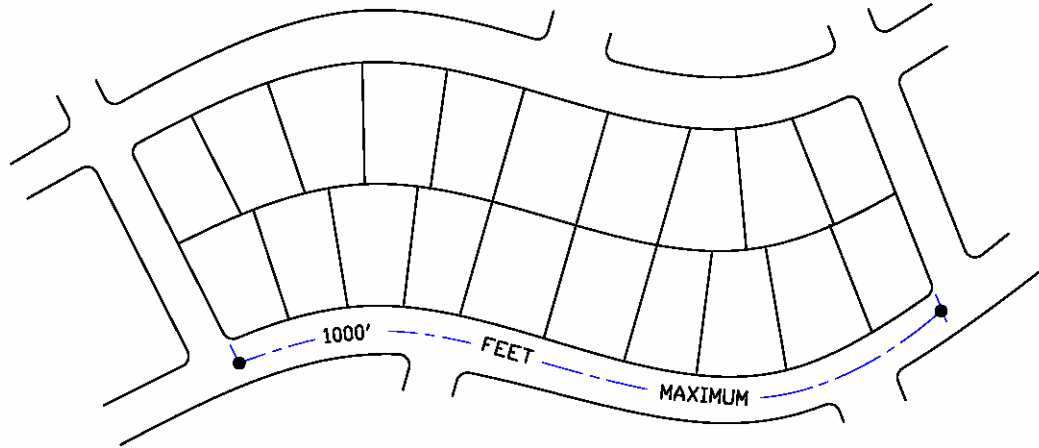
Sec. 4.5 (2) **MINIMUM LENGTH**

Because short blocks result in unnecessary amounts of costly cross streets and increased traffic hazards due to more intersections, blocks should not normally be less than 500 feet long. A shorter block may be approved under appropriate circumstances utilizing applicable standards.



Sec. 4.5 (3) **MAXIMUM LENGTH**

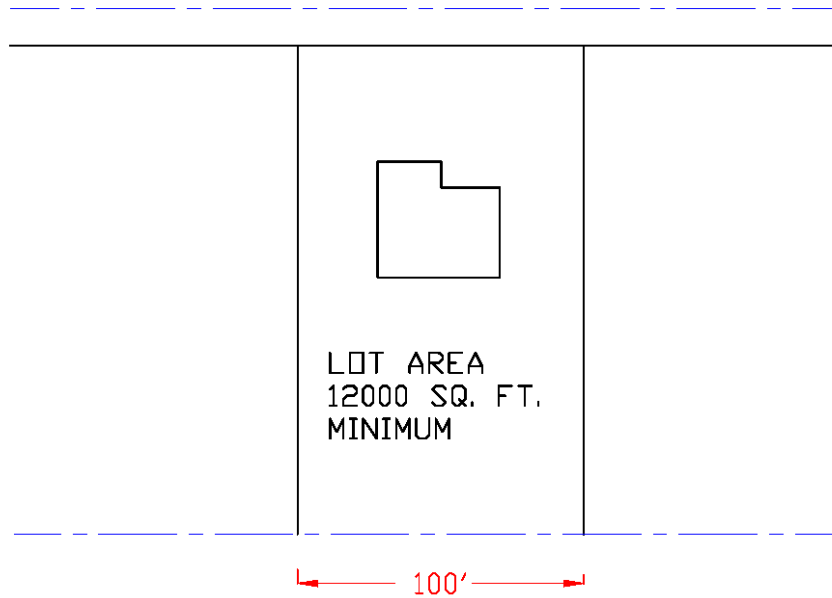
The maximum length normally allowed for residential blocks shall be 1000 feet. A longer block may be approved under appropriate circumstances utilizing applicable standards.



Sec. 4.6 **LOTS**

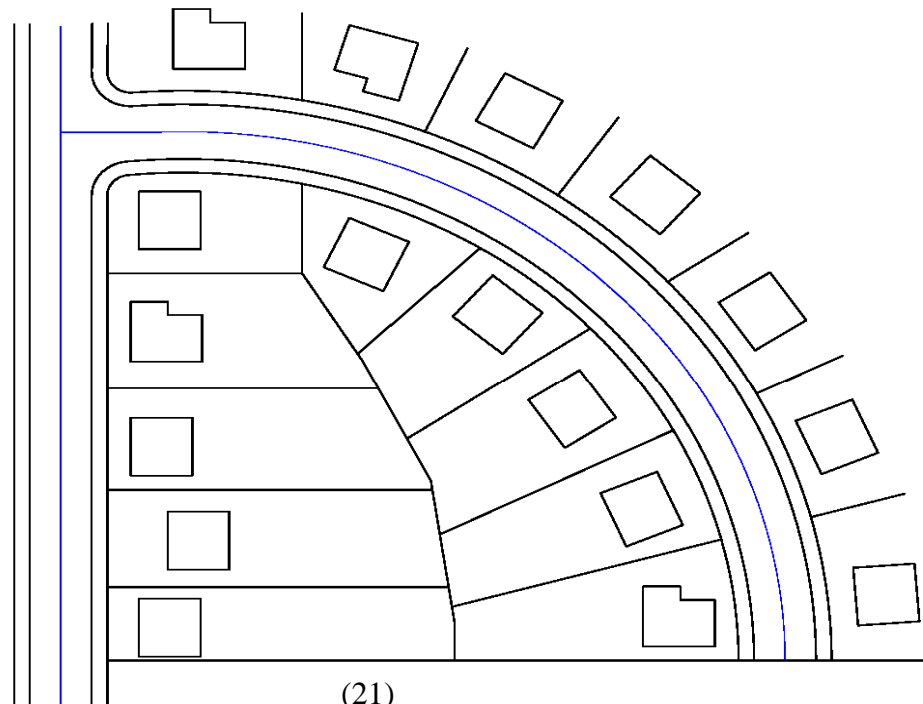
Sec. 4.6 (1) **CONFORM TO ZONING**

The lot width, depth, and area should not be less than the particular district requirements of the local zoning ordinance.



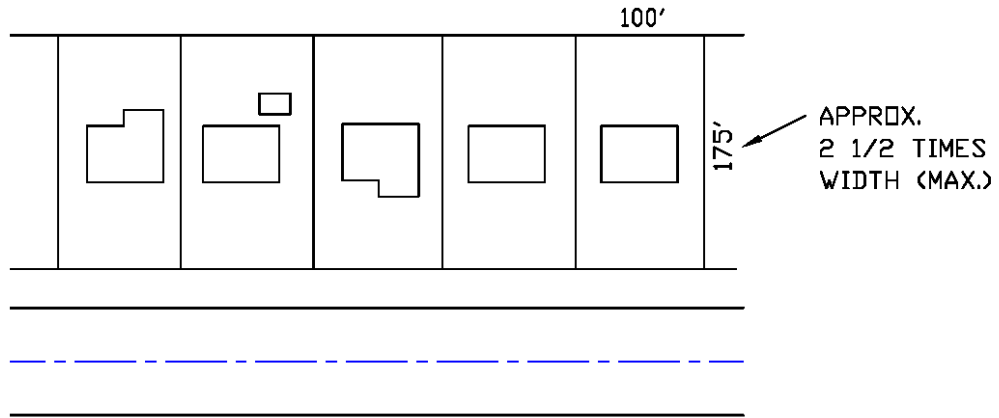
Sec. 4.6 (2) **LOT LINES**

Side lot lines should be essentially at right angles to straight streets and radial to curved streets to avoid odd-shaped lots.



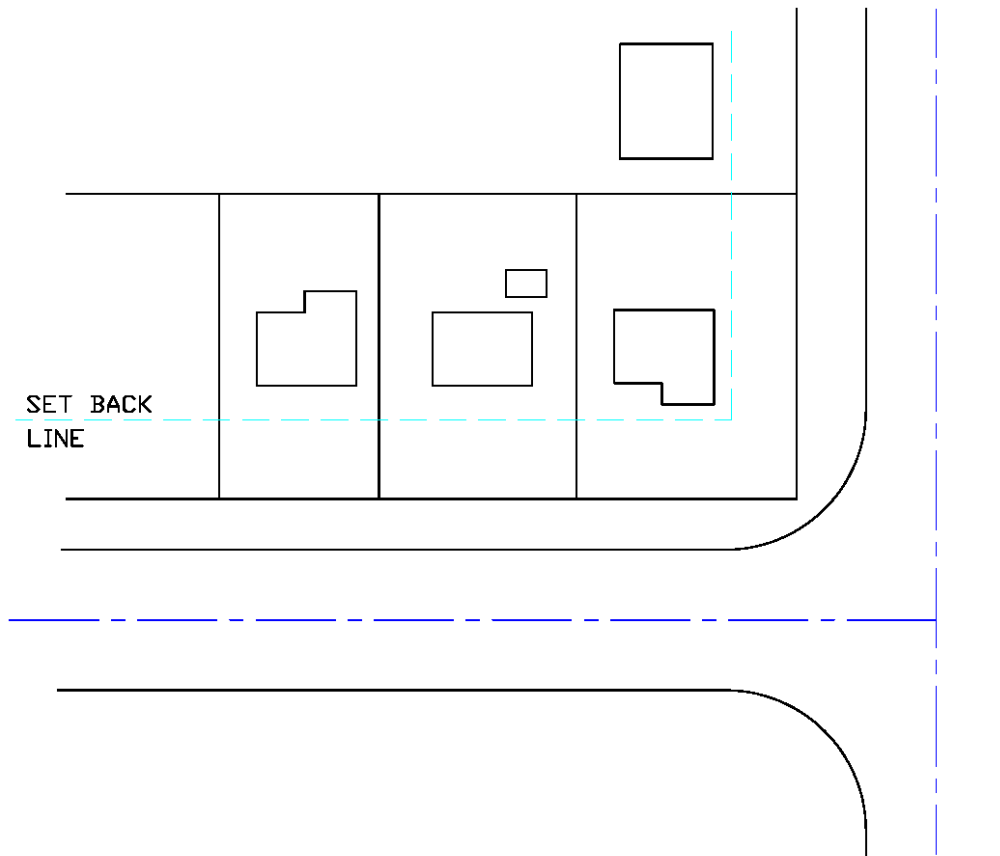
Sec. 4.6 (3) **WIDTH RELATED TO LENGTH**

To prevent narrow deep lots, the depth of a lot should not be more than 2 1/2 times the width.



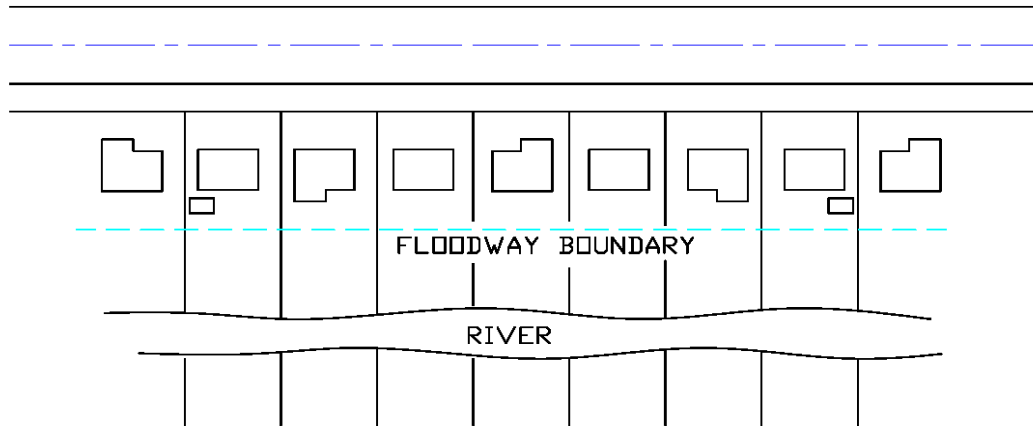
Sec. 4.6 (4) **CORNER LOTS**

Corner lots should have extra width to permit appropriate building setback from both streets or orientation to both streets. Lots abutting a pedestrian mid-block cross-walk should be treated as corner lots.



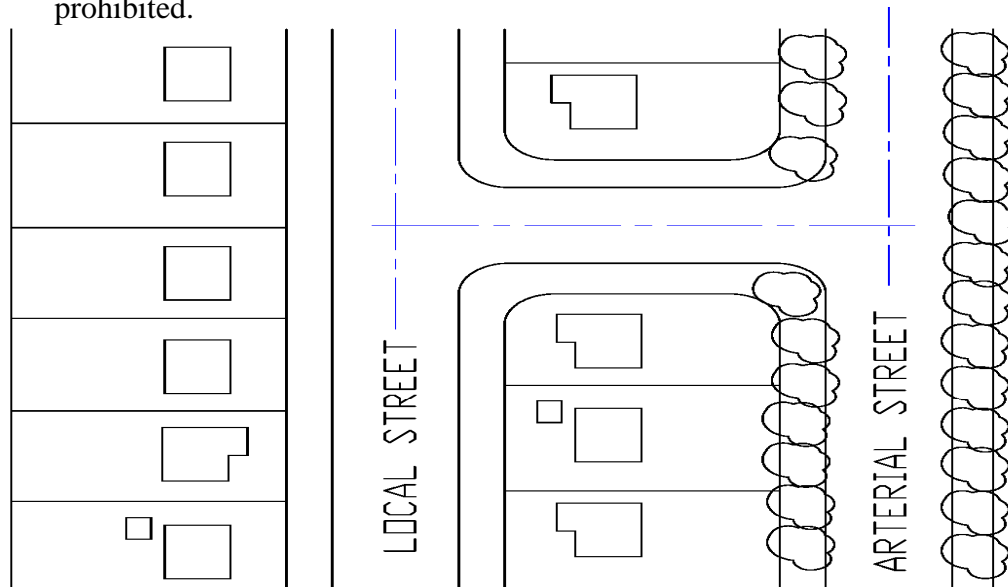
Sec. 4.6 (5) **UNINHABITABLE AREAS**

The State Subdivision Control Act prohibits lands subject to flooding or otherwise deemed to be uninhabitable from being platted for residential purposes, because they constitute a danger to health, life, or property and increase the flood hazard. Such land within a subdivision should be set aside for uses which will not be endangered by periodic or occasional inundation, such as parks or other open space.



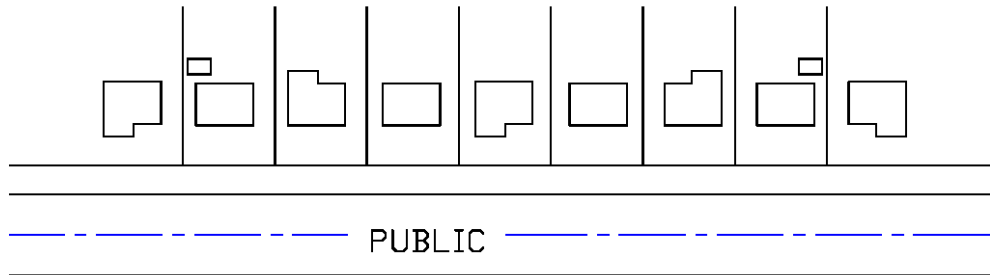
Sec. 4.6 (6)
and 4.7 (7) **BACK-UP LOTS AND DOUBLE FRONTAGE LOTS**

Lots should back, rather than face, onto such features as freeways and arterial streets, shopping centers, or industrial properties. Such lots should contain a landscaped easement along the rear at least 20 feet wide to restrict access to the arterial street, to minimize noise, and to protect outdoor living areas. Lots extending through a block and having frontage on two local streets should be prohibited.



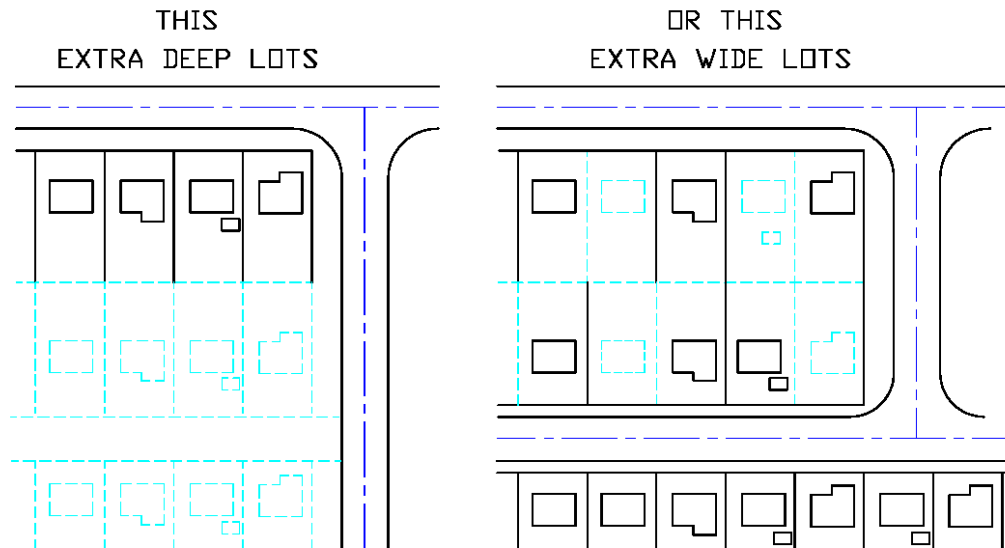
Sec. 4.6 (8) **LOT FRONTAGE**

Generally, all lots should front upon a publicly dedicated street, to allow direct access. Lots with access only through other lots should be prohibited.



Sec. 4.6 (9)
and 4.6 (10) **FUTURE ARRANGEMENTS AND LOT SPLITS**

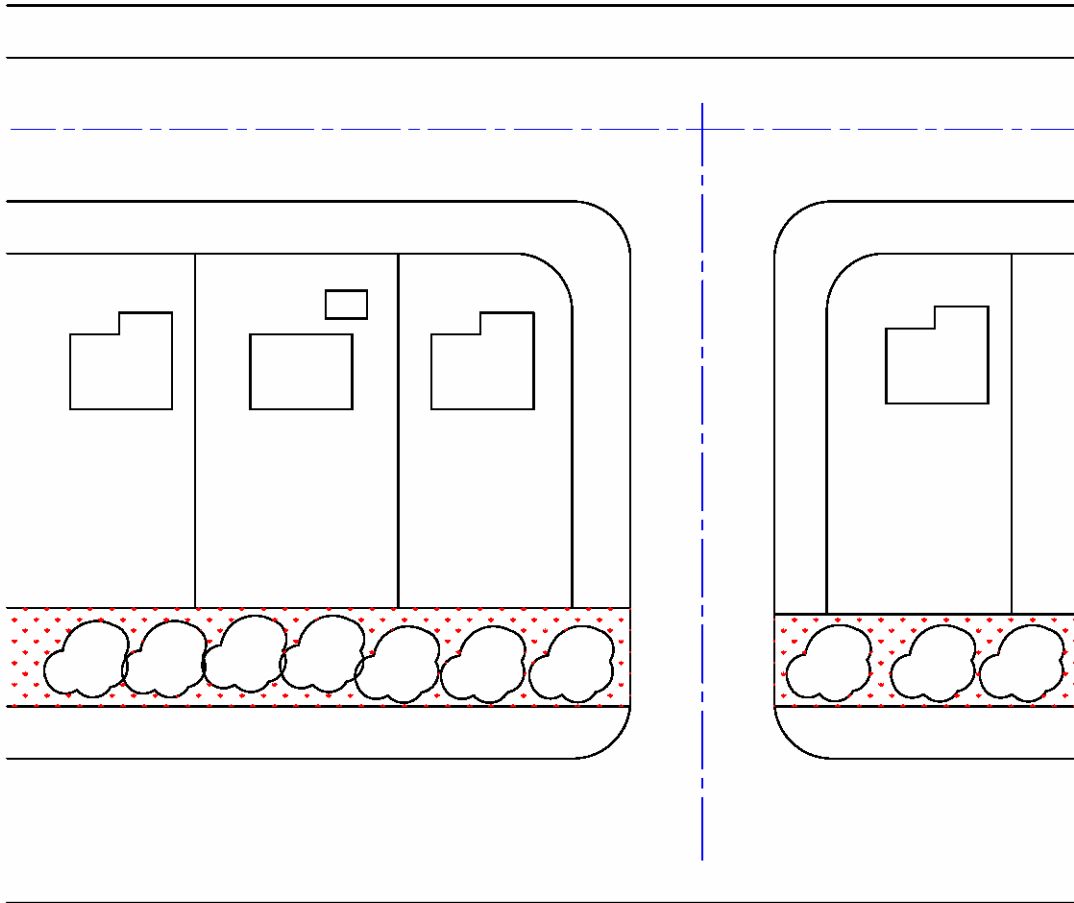
Where parcels of land are subdivided into unusually large lots (such as when large lots are required for septic tank operation), the parcels should be divided so as to allow for resubdividing into smaller parcels in a logical fashion. Lot arrangements should allow for the ultimate extension of adjacent streets through the middle of wide blocks. The platting of a large lots with only future resubdividing in mind should be discouraged. The subdivider should be told that resubdividing is permissible only as permitted by this ordinance and in accordance with existing zoning, up to 4 divisions. He should also be told that beyond that point, court action is required in accordance with the vacation procedures set forth in the Subdivision Control Act.



Sec. 4.7 **PLANTING STRIPS AND RESERVE STRIPS**

Sec. 4.7 (1) **PLANTING STRIPS**

Planting strips should be used to screen incompatible features such as highways, railroads, or industrial and commercial uses from the view of residential properties. Such screens should be a minimum of 20 feet wide.

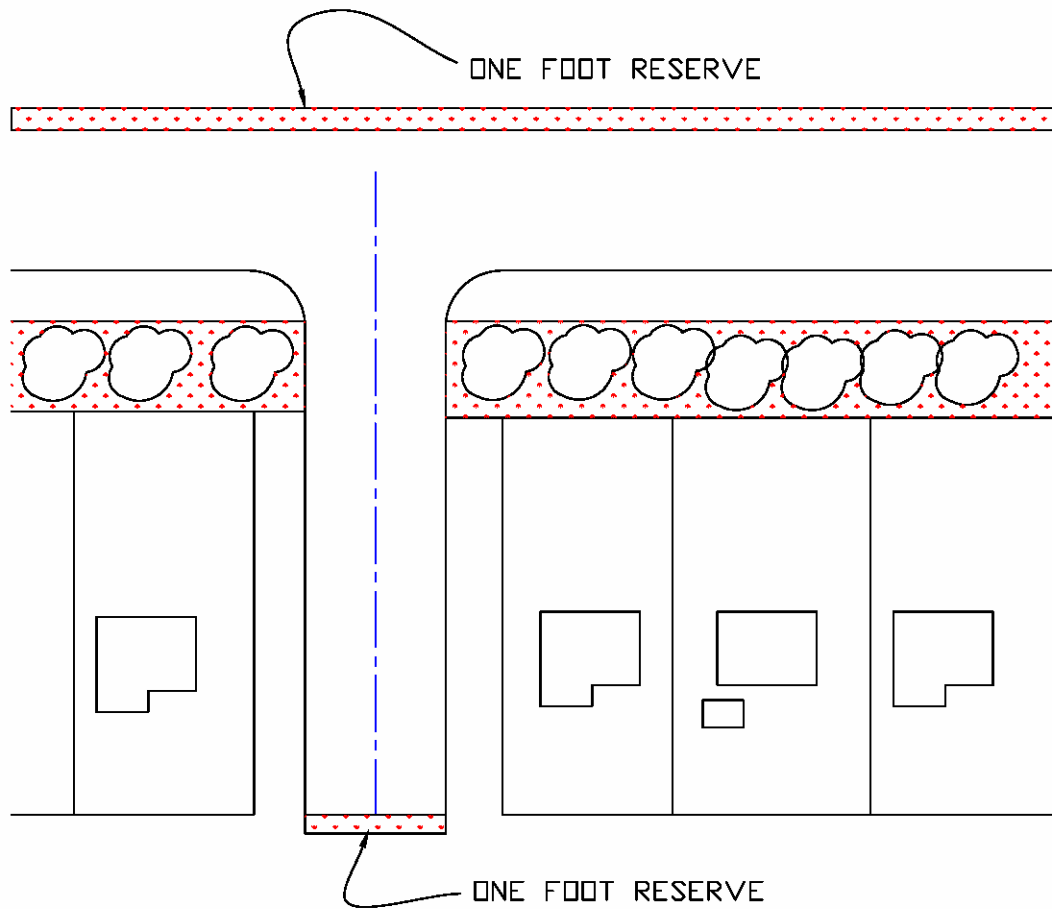


Sec. 4.7 (2)

RESERVE STRIPS

(Private and Public)

A one foot reserve should be placed at the end of “stub” or deadend streets which terminate at subdivision boundaries and between half-streets. These reserves should be deeded to the township, for they allow the community to control access and to prevent the erection of structures which might obstruct future street extensions or widening. To be effective, lots should also be required to have frontage on a public street before building permits are granted.



LARGE SCALE DEVELOPMENTS

Large scale development “planned unit development (PUD)” has been widely discussed but there is no precise definition. As a matter of fact, there is reason to believe that this term has been loosely used in some instances to describe slight departures from long familiar and traditional residential types of building construction. Townhouses, for example, are in themselves nothing new, stemming from the rowhouses of ancient vintage in Europe and eastern cities of the United States.

A “planned unit development” is usually a large scale project of 5 acres or more, to be constructed by a single owner or group of owners acting jointly. It usually involves a related group of residences and associated uses, planned as an entity rather than a mere aggregation of individual buildings located on separate unrelated lots. The objectives of planned unit developments have been stated to be:

To provide a more desirable living environment than would be possible through smaller, piecemeal development of individual tracts.

To encourage developers to use a more creative approach in the development of residential, commercial, and industrial areas.

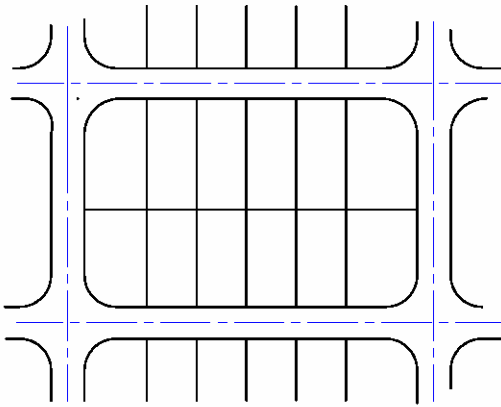
To encourage a more efficient, aesthetic, and desirable use of open areas.

To encourage variety in the physical development pattern of the community.

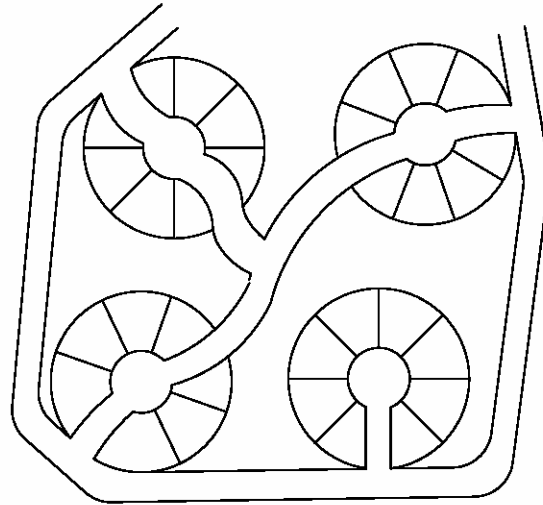
A planned unit development may consist of townhouses, mixed dwelling types and high-use apartments. One of the significant distinguishing characteristics, as opposed to the gridiron and other monotonous subdivision patterns, is the consolidation of open space to permit greater economy of land use, more pleasing subdivision designs and grouping of living units.

The “cluster” design is one type of “planned unit development”. The consolidation of open space permits smaller lot sizes than are possible with other and more traditional forms of subdivision design, while providing common open spaces and improved traffic ways and utilities services.

LARGE SCALE DEVELOPMENTS (continued)



TYPICAL DESIGN



CLUSTER DESIGN

The gross population density and building intensity should remain unchanged and should conform to the basic overall density requirements of the zoning ordinance. Each square foot of land gained through the reduction of lot size requirements should be set aside for open space for parks, recreation, and related uses.

Before allowing zoning and subdivision modifications for a planned unit development, it should be determined that the proposed development will result in a desirable addition to the community's living areas and that it will harmonize with development in adjacent areas. Plans for such a project should include the necessary covenants, restrictions, financial guarantees, and other legal assurances to guarantee achievement of the project.

Any consideration of approval for planned unit development should be quickly dismissed unless public sewer and water systems are available and accessible.

Sec. 5.3

REQUIRED IMPROVEMENTS

Sec. 5.3 (k)

STREET LIGHTING

The proper use of roadway lighting as an operative tool provides economic and social benefits to the public including:

- (a) Reduction in night accidents and attendant human misery.
- (b) Prevention of crime and aid to police protection.
- (c) Increase in roadway capacity and improved traffic flow.
- (d) Promotion of business and industry during night hours.
- (e) Inspiration for community spirit and growth.
- (f) Saving of money and accident cost and lost working time.

Nightfall brings increased hazards to users of streets and highways because of limited visibility distance. The fatal accident mileage rate at night in rural areas is more than two and a half times greater than the daytime rate. In urban areas, night rates are about three times the day rates. There are added night factors which account for this high rate increase. These are:

- (a) Lack of visibility.
- (b) Distraction of extraneous background lighting.
- (c) Lack of environmental clues (or recognition clues).
- (d) Defective, inadequate, and misuse of vehicle lights.
- (e) Increased fog, rain and snow (decreased atmospheric transmissivity).
- (f) Increased driver fatigue.
- (g) Increased influence of alcohol and drugs.
- (h) Different composition of traffic.
- (i) Different drivers' attitudes.

Widespread experience has demonstrated that, under most circumstances prevailing in the United States, it is practicable to light urban and suburban streets so as to reduce very largely this excessive toll of lives that is attributable to lighting inadequacies. These preventive measures cost the community less than do the accidents caused by inadequate visibility.

Providing proper lighting where it adds to safety and comfort of the vehicular driver and safety of pedestrians, and facilitates traffic flow, is the most urgent element that underlies this American Standard Practice.

The following is a part of American Standard Practice for Roadway Lighting:

Experience has shown that well-lighted roadways remove the criminal's opportunity to operate and hide under cover of darkness. Streets should be adequately lighted to facilitate police patrolling from sidewalks and cross streets, especially in downtown areas. Generally, such lighting also meets vehicular traffic needs. In those residential areas where pedestrian and vehicular traffic is light, 2500-lumen luminaries of a spacing not to exceed 500 feet are recommended as minimum.