

ARTICLE XVIII SUBDIVISION PLATS

Section 18.01. DIVISION OF EXISTING LOTS WITHIN A SUBDIVISION. Any lot, out lot, or other parcel in a recorded subdivision plat may be further partitioned or divided so as to total not more than four (4) parts which meet the following minimum requirements.

- A. The minimum size of any parcel of land created pursuant to this Section shall be in accordance with the minimum requirements of the Zoning Ordinance, except when the dividing of such land is for the use of such divided land in conjunction with an adjoining parcel of land.
- B. The petitioner shall submit three (3) drawings of the proposed lot split prepared by a Registered Civil Engineer or Registered Land Surveyor. The survey must show all existing structures on the lot. The petitioner shall also provide proof of ownership of the lot or lots to be split.
- C. If the division of the parcel will result in a lot size less than the requirements of the Zoning Ordinance, the applicant shall submit an affidavit in form legally sufficient for recording with the Register of Deeds and signed by all persons who have any ownership interest in the parcel acknowledging that they understand that the divided parcel shall thereafter be used only in conjunction with the adjoining parcel.
- D. Any such division shall be permitted only after a motion permitting such has been passed by the Planning Commission.

Section 18.02. PRELIMINARY SUBDIVISION PLAT.

- A. Filing
 - 1. The proprietor shall submit at least four (4) copies of the preliminary plat of the proposed subdivision to the Township Clerk at least ten (10) days before a meeting of the Planning Commission.
 - 2. The preliminary plat shall be prepared in accordance with the Subdivision Act and in accordance with the requirements of the Ordinance.
 - 3. The proprietor shall submit evidence that a copy of the preliminary plat has been delivered to the appropriate school district.
 - 4. The proprietor shall submit evidence that an on-site sewage disposal and on-site water supply system has received approval by the Lapeer County Health Department for the proposed development. (Ord. No. 103 eff. 02-19-97)
- B. Identification and Description

The following information shall be provided with the preliminary plat:

- 1. Proposed name of subdivision.

2. Legal description.
3. Names and addresses of the proprietor and the person who designed the subdivision layout.
4. Date, north point and scale of plat 1" = 100' as minimum acceptable scale.
5. An overall area map at a scale of not less than 1" = 2,000' showing the relationship of the subdivision to its surroundings such as section lines and/or major streets or collector streets shall be provided.
6. Boundary line of proposed subdivision and overall property dimensions.
7. Property lines of contiguous adjacent tracts of land are to be shown in relation to the tract being proposed for subdivision including those located across abutting roads.
8. Location, widths, and names of existing or prior platted streets and private streets, public areas and public easements within or adjacent to the tract being proposed for subdivision, including those located across abutting roads.
9. Location and water levels of lakes and swamps, and the direction or flow of streams and surface drainage.
10. Location of existing sewers, water mains, storm drains and other underground facilities within or adjacent to the tract being proposed for subdivision.
11. Topography drawn at contours with an interval of two (2) feet in elevation.
12. Soil types and characteristics.
13. Trees on the site shall be inventoried and sketched as to type and location.
14. Layout of proposed streets indicating street names, right-of-way widths, and connections with adjoining platted streets and also the widths and location of alleys, easements, and public walkways.
15. Layout, numbers and dimensions of lots, including building setback lines.
16. Parcels of land intended to be dedicated or set aside for public use or for the use of property owners in the subdivision.
17. Existing and proposed use of any parcels excepted from the preliminary plat. If the proprietor has an interest or owns any parcel so identified as "excepted," the preliminary plat shall indicate how this property would 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.
18. Location of the required underground utilities.
19. Proposed utility installations.

20. Plan of any proposed water areas indicating depths, normal water levels, slopes and type of bank retention; methods of controlling insects, water growths, and vegetation.
21. In the case where the proprietor wishes to subdivide a given area but wishes to begin with only a portion of the total area, the preliminary plat shall include the proposed general layout of the entire area. The part which is proposed to be subdivided first shall be clearly superimposed upon the overall plan in order to illustrate clearly the method of development which the proprietor intends to follow.

C. Review by Planning Commission

1. The Planning Commission shall act on the preliminary plat within sixty (60) days after the date that all necessary information is provided to the Planning Commission, unless the proprietor agrees to an extension.
2. Review fees, as established by motion of the Township Board, shall be paid to the Township Treasurer prior to Planning Commission review of the proposed plat.
3. The Township Clerk shall send a notice to the owners of land within five hundred (500) feet of the property to be platted of the presentment of the preliminary plat and the time and place of the meeting of the Planning Commission to consider said preliminary plat; said notice shall be sent not less than five (5) days before the meeting. At its discretion, the Planning Commission may also advertise the date of the public meeting by newspaper publication.
4. The Planning Commission may direct that copies of the preliminary plat be transmitted to an engineer for technical review and recommendation.
5. The Planning Commission shall review the preliminary plat as to the following:
 - (a) Zoning Ordinance compliance.
 - (b) Availability and adequacy of utilities.
 - (c) Impact on schools and public facilities.
 - (d) Land use plan compliance.
 - (e) Transportation network.
 - (f) Surrounding land uses.
 - (g) Objectives and policies of the Township.
6. The Planning Commission shall recommend approval conditionally, disapproval, or approval of the preliminary plat.

D. Review by Township Board

1. Following the receipt of Planning Commission recommendations, the Township Board shall consider the preliminary plat and shall take action within ninety (90) days of the date that all necessary information was provided to the Planning Commission unless the proprietor has requested an extension.
2. Should the Township Board approve the preliminary plat, it shall be deemed to confer upon the proprietor the right to proceed with the submission of the preliminary plat to the county and state agencies required in the Subdivision Act.
3. The tentative approval of the preliminary plat by the Township Board shall be effective for a period of one (1) year. Should the preliminary plat, as reviewed and approved by the required county and state agencies, not be submitted within this time limit, the preliminary plat must again be submitted to the Planning Commission for recommendation to the Township Board.
4. Upon submission of the preliminary plat as reviewed and approved by the required county and state agencies, the Township Board shall consider and review the plat within twenty (20) days. If final preliminary plat approval is granted by the Township Board, such approval shall be effective for a period of two (2) years. Such approval shall be deemed to confer upon the proprietor the right to proceed with the preparation of the final plat.
5. No installation or construction of any improvements shall be made before the preliminary plat has been approved by the Township Board and any deposits required have been received by the Township.

(Ord. No. 113 eff. 04-18-06)

Section 18.03. FINAL SUBDIVISION PLAT.

A. Preparation

1. The final plat shall comply with the provisions of the Subdivision Act.
2. The final plat shall conform substantially to the preliminary plat as approved.

B. Final Plat Review

1. Five (5) mylar copies and three (3) paper prints of the final plat shall be filed by the proprietor with the Township Clerk and shall deposit such sums of money as the Township may require herein or by other ordinances.
2. The final plat, at the discretion of the Township Board, may be reviewed by an engineer as to compliance with the approved preliminary plat and plans for utilities and other improvements.
3. The Township Board shall review the final plat for compliance with the items specified in Section 18.06.C.5 of this Ordinance.
4. The Township Board shall review all recommendations and take action on the final plat within thirty (30) days of its date of filing.
5. Upon approval of the final plat by the Township Board the subsequent approvals shall follow the procedure set forth in the Subdivision Act. The three (3) prints

shall be distributed as follows: one (1) to the Township Clerk, one (1) to the Planning Commission, and one (1) to the Building Inspector. The five (5) mylar copies shall be forwarded to the County Plat Board.

6. In lieu of the proprietor having installed improvements, the Township Board shall require of the proprietor as a condition of final plat approval, a deposit in the form of cash, certified check or irrevocable bank letter of credit running to the Township for the full cost, as estimated by the Township engineer, of the improvement of public places, other than roads and streets, and the installation of any requirement monuments, corner markers, public sewer, water supply, and drainage facilities, to insure the completion of said improvements and facilities within a length of time agreed upon from the date of approval of the final plat by the Township Board. The Township shall rebate to the proprietor, as the work progresses, amounts of any cash deposits equal to the ratio of the work completed to the entire project.
7. A copy of the proposed Subdivision Deed Restrictions or a statement in writing that none are proposed shall be furnished to the Township Board to be filed with the Township copy of the final plat.

Section 18.04. SUBDIVISION DESIGN STANDARDS.

A. Streets

1. The proposed subdivision streets shall conform to the Land Use Plan and shall be considered in relation to the existing and planned major thoroughfares. The proposed subdivision streets shall also conform to any county right-of-way plan which may be applicable to that location.
2. The street layout shall provide for continuation of streets in adjoining subdivisions. Where the 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.
3. The street layout shall discourage the use of minor streets by through traffic.
4. Streets shall be arranged in proper relation to topography so as to result in desirable and usable lots, and safe streets with reasonable grades.
5. Street Intersections: Streets shall be laid out so as to intersect as nearly as possible to ninety (90) degrees.
6. Streets: All streets and appurtenances thereto shall be constructed in accordance with details and specifications approved by the Lapeer County Road Commission.

B. Easements

1. Location of utility line easements shall be provided along the rear of side lot lines as necessary for utility lines. Easements shall give access to every lot, park or public grounds. Such easements shall be a total of not less than ten (10) feet wide.
2. Recommendations on the proposed layout of telephone and electric company easements should be sought from all of utility companies serving the area. It shall be the responsibility of the proprietor to submit copies of the preliminary plat to all appropriate public utility agencies.
3. Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course and such further width of construction or both as will be adequate for the purpose. Such easements shall meet the approval of the County Drain Commissioner and/or County Road Commission.

C. Lots

1. The lot size, width, depth and shape in any subdivision proposed for residential uses shall be appropriate for the location and the type of development contemplated.
2. Lot areas and widths shall conform to at least the minimum requirements of the Zoning Ordinance for the district in which the subdivision is proposed.
3. Building setback lines shall conform to at least the minimum requirements of the Zoning Ordinance.
4. Excessive lot depth in relation to width shall be avoided. A depth-to-width ratio of not more than four (4) to one (1) shall be desirable.
5. Corner lots in residential subdivisions shall be platted at least ten (10) feet wider than the minimum width permitted by the Zoning Ordinance.
6. Side lot lines shall be at right angles or radial to the street lines whenever possible.
7. Residential lots abutting major streets shall be platted with reverse frontage, or with side lot lines parallel to the major traffic streets or shall be platted with extra depth to permit adequate distances between buildings and such streets.
8. Lots shall have a front-to-front relationship across all streets where possible.
9. Where lots border upon bodies of water, the front yard shall be designated as that side fronting on the street.
10. Lands subject to flooding or otherwise deemed by the Planning Commission to be uninhabitable shall not be platted for residential purposes.
11. 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 designed,

where feasible, so as to allow for resub-division into smaller lots in a logical fashion.

D. Natural Features

The natural features and character of lands shall be preserved wherever possible. Due regard shall be shown for all-natural features such as large trees, natural groves, water courses and similar community assets that will add attractiveness and value to the property, if preserved. The preservation of drainage and natural stream channels must be considered by the proprietor, and the dedication and provision of adequate barrier (dams, bulkheads, retaining walls, etc.) where appropriate, shall be required.

E. Topsoil

Removal of topsoil from areas to be subdivided shall be prohibited except in those areas to be occupied by buildings, roads or parking areas.

F. Public Sites and Open Spaces

When the proprietor is willing to provide playgrounds, school sites, parks and recreation facilities, said areas shall be provided by one of the following methods:

1. Dedication to the Township, County or School Board.
2. Reservation of land for use of property owners by deed or covenants.
3. Reservation for acquisition by the Township, County or School Board. Said reservations shall be made in such a manner as to provide for a release of the land to the proprietor in the event that the Township, County or School Board does not proceed with the acquisition.

Section 18.05. IMPROVEMENTS.

A. Minimum Standards

The improvements set forth in this Article are to be considered as the minimum acceptable standard. All improvements must meet the approval of the Township Board.

B. Bond

Prior to the undertaking of any improvements, the proprietor shall deposit with the Township Clerk a certified check, or irrevocable bank letter of credit, or a surety bond acceptable to the Township Board to insure faithful completion of all improvements within the time specified. The amount of the deposit shall be set by the Township Board.

C. Utilities

1. **Underground Wiring:** All local distribution lines for telephone, electric, television, and other similar services distributed by wire or cable shall be placed underground throughout the area subdivided for residential use, except for main supply and perimeter feed distribution lines which serve areas outside the subdivided area, and except for surface facilities related to underground services. Such wires, conduits or cables shall be placed within private easements provided to such service companies by the proprietor or within dedicated public ways.

2. Sewage Disposal: When a proposed subdivision is located within, adjacent to or reasonably near the service area of a municipal public sewer system, sanitary sewers and other required appurtenances thereto, shall be installed in such a manner as to adequately serve all lots from the municipal system. In the event of the non-existence or non-availability of a municipal sewer system, septic tank systems shall be approved by the County Health Department.
3. Water Supply: When a proposed subdivision is located within, adjacent to or reasonably near the service area of a municipal water supply system, water mains, fire hydrants and required water system appurtenances shall be constructed in such a manner as to adequately serve all lots shown on the subdivision plat, both for domestic use and fire protection. In the event of the non-existence or non-availability of a municipal water supply system, private wells shall meet approval of the County Health Department.
4. Storm Drainage System: An adequate storm drainage system including necessary storm sewers, catch basins, manholes, culverts, bridges and other appurtenances shall be required in all subdivisions. Adequate provisions shall be made for proper drainage of storm water run-off from each residential lot.

D. Sidewalks

A four (4) foot wide concrete sidewalk located one foot from the property line on the side or sides of the roadway abutting the subdivision may be required. In those instances where no good purpose would be served by the provision of sidewalks, the Planning Commission may waive this requirement.

D. Street Trees

Street trees shall be provided; at least one (1) per lot or not less than one (1) tree for each one hundred (100) feet of street frontage,

Section 18.06. ENGINEERING DESIGN STANDARDS.

A. General Requirements

1. Plans submitted shall be on 24" x 36" or 22" x 36" white prints having blue or black lines and shall be neatly prepared.
2. All sewers shall be shown in plan and profile. Profiles of sewers shall indicate the size, invert and slope of the sewer and shall indicate the existing ground and proposed grade along the route of the sewer.
3. Elevations shall be on United States Geological Survey datum.
4. Finished grades of structures shall be indicated on the plan or profile for all structures.
5. All engineering plans submitted shall bear the seal of a Registered Professional Engineer.
6. One mylar copy of As-Built plans of water, sanitary sewer, roads and storm sewer system and certification from a Registered Professional Engineer that all surface grades, roads and structures are in conformance with the approved plan

shall be provided prior to acceptance of the subdivision improvements by the Township.

B. Review

For Township approval of sanitary sewer systems, storm sewers or water mains, the applicant shall furnish to the Township a detailed estimate of the cost and two sets of the plans including the general plan, for the system on which he desires approval. The Township shall collect the review fee and refer the plans to an Engineer who shall check the estimate and review plans for conformity to the standards of the Township and certify that they are consistent with the over-all utility plans of the Township. The applicant, after making any changes requested on the set of plans returned to him, shall then submit the revised plans to the Township, for final approval.