

Chapter 47

SUBDIVISIONS*

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ARTICLE I. IN GENERAL

Sec. 47-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Complete utility subdivision means a subdivision in which arrangements have been made for both public water service and sewage disposal by a public utility system and for the other improvements required by this chapter.

Final plat means the final map which the applicant submits pursuant to Act No. 288 of the Public Acts of Michigan of 1967, (MCL 560.101 et seq.) for the approval of the village.

Local street means a minor street intended primarily to serve adjacent neighborhood properties.

Major street means a street designated as such in the major street plan, contained within the master plan, which is intended to serve traffic not originating or terminating in the particular neighborhood.

Major subdivision means the creation of new lots by platting, the creation of more than four (4) new lots of less than ten (10) acres within a ten-year period from one parcel of property by transfer or metes and bounds description, or the creation of a new street, whether by the owner or required by the village council.

Minor subdivision means the combination of existing parcels into one lot; the alteration of a lot line not changing the number of lots, or the creation of one or more new parcels of property on an existing street by transfer or metes and bounds description. A minor subdivision shall not include new or resulting lots of ten (10) acres or more or lots defined as a major subdivision.

***Editor's note**—Ord. of Dec. 13, 2005, set out provisions intended for use as ch. 34. For purposes of alphabetization, and at the editor's discretion, with the concurrence of the village, these provisions have been included as ch. 47.

Partial utility subdivision means a subdivision in which arrangements have been made for either public water service or sewage disposal by a public utility system, but not both, and for the other improvements required by this chapter.

Potential utility subdivision means a subdivision located in a primary or secondary service area to which public water and sewage disposal by public utility systems cannot be provided by the village at the time of platting, but where the other improvements required by this chapter are provided.

Private service subdivision means a subdivision located in an area in which neither public water nor sewage disposal by a public utility system is furnished or contemplated.

Public utility system means a waste or sewage system owned and operated by the village or a community utility system approved by the village.

(Ord. of 12-13-05)

Sec. 47-2. Purpose.

It is the purpose of this chapter to regulate the subdivision of land and the extension of utility service to encourage orderly and economical development of the urban area in accordance with the master plan. To this end the village plans to provide public water and public sewer services to development which meets the requirements of this chapter.

(Ord. of 12-13-05)

Sec. 47-3. Interpretation.

In the interpretation and application of this chapter, the sections of this chapter shall be held to be minimum requirements adopted for the promotion of public health, safety, convenience and general welfare. It shall be administered to ensure orderly growth and development and to conserve and adequately provide for streets, utilities and other services in the village and its surrounding urbanizing area.

(Ord. of 12-13-05)

Sec. 47-4. Administration.

This chapter shall be administered by the planning commission and the village council. The rules, regulations and standards imposed by this chapter shall be considered to be the minimum for the protection of the public health, safety and welfare of the citizens of the village, and in interpreting and applying them primary consideration shall be given to these factors.

(Ord. of 12-13-05)

Sec. 47-5. State law applicability.

The requirements, procedures, regulations and powers set forth in the Land Division Act of 1967, Act No. 288 of the Public Acts of Michigan of 1967, (MCL 560.101 et seq.) shall apply, unless modified by greater requirements, procedures, regulations and powers by this chapter.

(Ord. of 12-13-05)

Sec. 47-6. Master plan.

All subdivisions shall conform to the provisions and conditions of the master plan and zoning map for development of the village and surrounding area.

(Ord. of 12-13-05)

Sec. 47-7. Action for approval or disapproval.

Formal action of approval or of disapproval with recommendations for changes for a subdivision shall be taken by the village council within ninety (90) days of filing. Where action of disapproval is taken, no refileing is required if the applicant resubmits new maps to the planning commission within sixty (60) days of such action; such submittal shall be deemed to be a new filing date, from which the village council action must again be taken within ninety (90) days thereof.

(Ord. of 12-13-05)

Sec. 47-8. Performance guarantees.

Under this chapter, the village council may require formal agreements or the posting of a bond or other surety sufficient to guarantee the proper installation and performance of required improvements of materials or to meet other sections or intents of this chapter.

(Ord. of 12-13-05)

Sec. 47-9. Inspections and specifications.

Under this chapter, the village council may establish inspection fees, inspection requirements, specification standards and administrative procedures as provided by law, and such shall be deemed to be requirements of this chapter.

(Ord. of 12-13-05)

Sec. 47-10. Service areas.

(a) *Density relationship.* The density of all subdivision development shall be directly related to service areas shown on the service area map as primary, secondary, private and industrial service areas. Such map is incorporated into and made a part of this chapter.

(b) *Primary service areas.* Primary service areas are those areas in the village and surrounding area which are provided with or where the village agrees it will provide public sewer and public water services.

(c) *Secondary service areas.* Secondary service areas are those areas in the village and the surrounding area which are provided with or where the village agrees it will provide public sewer or public water services, but not both.

(d) *Private service areas.* Private service areas are those areas where neither public water nor public sewer are provided and where there are no agreements or plans to provide such services.

(e) *Industrial service areas.* The industrial service areas are those areas in the village and the surrounding area where the village agrees it will provide utility services for industry only. (Ord. of 12-13-05)

Sec. 47-11. Utility charges.

Under this chapter, where any public improvement or other service is recommended and where the village agrees to provide such service, the service shall be provided only when satisfactory arrangements have been made for financing the cost of the installation and for payment of satisfactory service charges for the use thereof. The service charge to properties outside the village shall be adequate to meet the charge applied within the village and to defray invested value and other general costs incurred by the village as a whole in providing such facilities.

(Ord. of 12-13-05)

Sec. 47-12. Variances.

(a) If the subdivider can clearly demonstrate that literal enforcement of this chapter is impractical or will impose undue hardship in the use of his land because of peculiar conditions pertaining to his land, the village council may permit such variances as, in its sound discretion, it believes to be reasonable and within the general purpose and policy of this chapter.

(b) In making the findings required in subsection (c) of this section, the village council shall consider the recommendation of the planning commission, the location and condition of the proposed subdivision, the nature of the proposed variance as compared with the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision and variances on traffic conditions in the vicinity.

(c) No variance shall be granted unless the village council finds that all of the following conditions exist:

- (1) There are special circumstances or conditions affecting the property such that the strict application of this chapter would deprive the applicant of the reasonable use of his land.
- (2) The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
- (3) The granting of the variance will not be contrary to state regulations, detrimental to the public welfare or injurious to other property in the area in which the property is situated.

(d) A petition for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the planning commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the

petitioner. The planning commission shall make a recommendation to the village council upon any requested variance. The village council may not grant a variance where such has been disapproved by the planning commission, except by a full two-thirds vote.

(Ord. of 12-13-05)

Secs. 47-13—47-45. Reserved.

ARTICLE II. PLATS

DIVISION 1. SKETCH PLATS

Sec. 47-46. Major subdivision.

A sketch plat of major subdivisions shall be submitted for discussion before the preliminary plat is prepared. The sketch plat is designed to enable the village council and the applicant to discuss principles involved without the expense of completing detailed engineering drawings. The sketch plat shall include tentative street utility and lot layout for all contiguous land owned by the applicant or the owner of the proposed plat. The village council will review such plat and, if satisfactory, give sketch plat approval. This approval will not be binding, but will enable the applicant to proceed on a reasonable, sound basis. Sketch plat approval does not carry the authority to proceed with construction or to sell or transfer property.

(Ord. of 12-13-05)

Sec. 47-47. Minor subdivision.

Before a minor subdivision shall be effected by any owner of land or his agent, three (3) copies of a sketch plat of the proposed subdivision shall be submitted to the village council for approval. The sketch plat shall be drawn to scale in ink and shall show the original parcel of land in full, the lot to be created, any building located on or within fifty (50) feet of such new lot and any other pertinent information required for such considerations. Dimensions to the nearest foot shall be shown on all lot lines and existing buildings. The village council shall review the proposed minor subdivision, and if it complies with this chapter and the village zoning ordinance, it shall approve the subdivision and the council shall affix their signatures, the date and a notation of approval to the sketch plat. The village council shall forward one approved copy to the village assessor and return the signed original to the owner or his agent. The village council may designate any minor subdivision as a major subdivision if it deems a new street is necessary or that the intent of this chapter requires such designation.

(Ord. of 12-13-05)

Secs. 47-48—47-60. Reserved.

DIVISION 2. PRELIMINARY PLATS

Sec. 47-61. Design specifications and information required.

The preliminary plat of a subdivision shall be designed in compliance with this section, sections 47-134 through 47-137 and sections 47-172 through 47-173, be drawn to a scale of preferably not more than one hundred (100) feet to the inch and shall show or be accompanied by the following information:

- (1) Preliminary plans of proposed utility layouts (sewers, storm drains and water) showing proposed connections to any existing utility systems. If no public sewage disposal system is available or planned, percolation tests shall be made as directed by the health department. The results and a report from the health department shall be submitted with the preliminary plat.
 - (2) The proposed use of nonresidential lots in the platted area.
 - (3) Lot numbers, lot line and easement dimensions to the nearest foot and the area of the individual lots to the nearest one hundred (100) square feet.
 - (4) Topographic contours specified by the village council sufficient to show basic terrain features, tentative street profiles, natural physical features, the location of test holes and trees with a trunk diameter of eight (8) inches or more.
 - (5) The names of the owner, subdivider, surveyor, adjacent property owners and the proposed street names.
 - (6) A key map showing all contiguous land owned by the applicant or owner, the relationship thereof to the proposed platted area and the location of existing streets, drainage systems and public utility lines within five hundred (500) feet of the proposed plat.
 - (7) The proposed name of the plat and a description of the land to be platted.
- (Ord. of 12-13-05)

Sec. 47-62. Submission.

At least five (5) black on white prints or blueprints of a subdivision preliminary plat shall be submitted to the village clerk two (2) weeks before the regular village council meeting at which consideration of the plat is desired. This preliminary plat shall show the details and contain the information required in the Land Division Act of 1967, and in sections 47-46, 47-47, 47-62, 47-82, 47-86, 47-131, 47-132, 47-172 and 47-173. The submission shall be accompanied by a filing fee of five dollars (\$5.00) for each lot within the plat. The village clerk shall forward copies to the village council one week prior to such meeting.

(Ord. of 12-13-05)

Sec. 47-63. Review; preliminary approval.

The village council shall consider the subdivision preliminary plat and shall require any such changes or modifications to be made to the plat as are necessary to comply with this

chapter and shall return the plat to the subdivider for compliance. If the preliminary plat as originally submitted or as changed or modified as required by the village council meets the requirements of this chapter, the village council shall give it preliminary approval.

(Ord. of 12-13-05)

Sec. 47-64. Tentative approval.

The subdivision preliminary plat shall be referred to the village council for tentative approval following preliminary approval. The applicant shall submit final plans of sewer, water, storm drains, street, street profiles and other required improvements for approval by the village DPW superintendent. Upon approval of such plans, the village council may grant tentative approval of the plat. Upon tentative approval, the village clerk shall affix his signature to the plat with the notation that it has received tentative approval. The plat shall then be returned to the subdivider for compliance with final approval requirements.

(Ord. of 12-13-05)

Sec. 47-65. Tentative approval guarantees.

Tentative approval of the subdivision preliminary plat by the village council shall give the applicant the following rights for a one-year period from the date of approval:

- (1) The general terms and conditions under which the tentative approval was granted will not be changed by the village.
- (2) The applicant may submit on or before the expiration date the whole or parts of the tentatively approved preliminary plat for final approval.

(Ord. of 12-13-05)

Sec. 47-66. Final submission.

Where appropriate due to jurisdiction, the applicant shall forward the following copies of the tentatively approved subdivision preliminary plat to the following agencies for final approval of the preliminary plat:

- (1) County road commission, three (3) copies.
- (2) County drain commission, three (3) copies.
- (3) State highway department, three (3) copies.
- (4) State conservation department, two (2) copies for land upon a lake or stream.
- (5) State water resources commission, two (2) copies for land in a floodplain.
- (6) County health department, two (2) copies in the absence of either public water or public sewer.
- (7) County plat board, two (2) copies.
- (8) Gas and electric companies, two (2) copies each.

(Ord. of 12-13-05)

Sec. 47-67. Final approval.

Upon receipt of approval of the subdivision preliminary plat from the agencies listed in section 47-66, the village council may grant final approval of the preliminary plat. If changes have been recommended by any agency, the plat shall be reviewed by the village council and changed to conform to the requirement or any variation thereto deemed proper by the village council prior to final approval by the village council. Where such changes result in changes to the final plans for improvements, amended plans shall be prepared and submitted to the village council for approval.

(Ord. of 12-13-05)

Sec. 47-68. Final approval guarantees.

Final approval of the subdivision preliminary plat by the village council shall give the applicant the following rights for a two-year period from the date of approval:

- (1) The general terms and conditions under which the final approval was granted will not be changed by the village.
- (2) The applicant may submit on or before the expiration date the whole or parts of the preliminary plat as a final plat in accordance with the Land Division Act of 1967.

(Ord. of 12-13-05)

Sec. 47-69. Improvements; payment of costs.

(a) Following final approval of the subdivision preliminary plat, the subdivider may proceed in making arrangements with the village for the installment of streets, utilities and other improvements required under section 47-134 and by the plans approved by the village council. The subdivider's share of the cost of such improvements shall be borne in one of the following ways:

- (1) By installation thereof in accordance with village specifications and inspection procedures.
- (2) By payment of the share by the subdivider at the time such improvements are to be installed by the village.
- (3) By payment of the share of the subdivider at a later date either (i) in a lump sum, (ii) in installments or (iii) by assessments, as may be agreed upon, in which case payment shall be ensured either by the posting by the subdivider of a surety bond running to the village sufficient in amount to cover the subdivider's share of the cost of the improvements or by contract between the subdivider and the village.

(b) No improvements shall be installed prior to the acceptance and approval of all required plans by the village.

(Ord. of 12-13-05)

Secs. 47-70—34-80. Reserved.

DIVISION 3. FINAL PLATS

Sec. 47-81. Governing statute.

The final plat of a subdivision shall be as required by the Land Division Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101 et seq.).

(Ord. of 12-13-05)

Sec. 47-82. Submission.

Within two (2) years from the date of final approval of the subdivision preliminary plat, two (2) copies of a final plat of all or part of the preliminary plat shall be submitted to the village clerk at least ten (10) days prior to a regular meeting of the village council. A fee of one dollar (\$1.00) for each lot within the plat shall be paid to the village at the time of filing the final plat for final approval. The final plat shall conform to all requirements of the Land Division Act of 1967, and of this chapter.

(Ord. of 12-13-05)

Sec. 47-83. Review.

(a) The clerk shall forward one copy of the subdivision final plat to the village council at least five (5) days prior to the council meeting for review. Before recommending final approval, the village council shall ascertain that:

- (1) The subdivider has installed or made arrangements with the village for the installation of the services and improvements required;
- (2) All required bonds, sureties or agreements are in order; and
- (3) The conditions and requirements of the preliminary plat have been met.

(b) If the final plat is in all respects satisfactory to the village clerk, the clerk shall recommend approval by the village council.

(Ord. of 12-13-05)

Sec. 47-84. Final approval.

The subdivider shall file with the village council the original and five (5) copies of the final plat on cloth or plastic, together with certifications, signatures and statements required by law from any agency having jurisdiction in tentative approval of the preliminary plat. If, in the opinion of the village council, the final plat meets the requirements of the Land Division Act of 1967, and of this chapter, and if all required surety bonds are posted or contracts or agreements signed, it shall give the plat final approval, and a notation to that effect shall be made on the original and on each copy of the plat, signed by the village council.

(Ord. of 12-13-05)

Sec. 47-85. Referral.

Upon final approval of the subdivision final plat, the village council shall collect and forward additional filing and recording fees required by state law and all signed copies of the plat to the county plat board for approval and referral as required by law. When the plat is returned to the village council with the notations of approval from all referred agencies, the subdivision shall be recorded as a plat of record.

(Ord. of 12-13-05)

Sec. 47-86. Buildings; sales of lots.

Until subdivision final plat approval is received, a property is unsubdivided. No more than one building may be constructed thereon, except that where streets and other improvements have been installed in accordance with the final approved preliminary plat, such streets shall be deemed to have subdivided the plat into blocks and one building may be constructed upon each block so formed. Sale of any lot, unless by an entire block, shall be in violation of this chapter until approval of the final plat.

(Ord. of 12-13-05)

Secs. 47-87—47-105. Reserved.**ARTICLE III. UTILITY SERVICES****Sec. 47-106. Requests for extension.**

Where utility services have been extended to a street, requests for utility services to existing buildings or to existing platted lots in a subdivision shall be submitted to the village council. If the village council finds that the property or building is within the proper service area and that it meets the requirements of the village zoning ordinance, it may authorize such service, provided satisfactory financing arrangements are arrived at. Requests to extend village utilities services to new areas or to new streets shall be made by petition or as otherwise provided. No request for public services shall be approved by the village council for a property which does not conform to this chapter.

(Ord. of 12-13-05)

Sec. 47-107. Existing undeveloped lots.

All requests for utility service to two (2) or more existing undeveloped lots platted or subdivided prior to the effective date of the ordinance from which this chapter derives shall be submitted to the village council for study and report. In making its reports, the village council shall apply standards and requirements for new major subdivisions insofar as they are applicable and shall recommend appropriate action based thereon.

(Ord. of 12-13-05)

Sec. 47-108. New subdivisions.

All new subdivisions and new buildings within the village and all new subdivisions or new buildings in the surrounding area for which village services are desired shall meet the requirements of this chapter and the village zoning ordinance. Utility service to any lot created after the adoption of the ordinance from which this chapter derives will be provided only for lots subdivided in conformity with this chapter.

(Ord. of 12-13-05)

Secs. 47-109—47-130. Reserved.**ARTICLE IV. DESIGN STANDARDS****Sec. 47-131. Metes and bounds subdivisions.**

No new lot shall be created within any primary, secondary or industrial service area within the village unless the provisions contained in the definitions of terms in section 47-1 have been complied with. In the private service area within the village, no less than ten (10) acres shall be created and compliance with section 47-1 shall be required. The clerk shall report all metes and bounds transfers which do not comply with section 47-1 to the village council for appropriate remedy or action. All new lots shall meet or exceed the requirements of the village zoning ordinance.

(Ord. of 12-13-05)

Sec. 47-132. Alteration of approved lots.

No lot approved prior to the adoption of the ordinance from which this chapter derives or approved in accordance with this chapter shall be altered or otherwise changed by the relocation, addition or removal of a lot line, unless such alteration or change will result in an increase in the lot size of all affected lots or a decrease in the total number of lots. Any such change or alteration shall be deemed a minor subdivision and shall follow the procedures and requirements for a minor subdivision as set forth by this chapter.

(Ord. of 12-13-05)

Sec. 47-133. Outlots.

An outlot within a major subdivision plat is prohibited.

(Ord. of 12-13-05)

Sec. 47-134. Density relationships of lots.

(a) *Generally.* For the purpose of this chapter, subdivisions shall be classified as complete utility, potential utility or private service subdivisions. To ensure the economical and sound extension of utility services, to avoid premature concentrations of population and for reasons of health and sanitation, the minimum required area of each lot shall increase as the availability of public services decreases. In areas beyond the village corporate limits, the

zoning districts and regulations therefor shown on the zoning map shall apply, except where greater restrictions are imposed by township or county regulations. This chapter may impose greater lot sizes but may not decrease the minimums of the village zoning ordinance. Minor subdivisions in all zones need only conform to or exceed the minimum set in the village zoning ordinance.

(b) *Complete utility subdivisions.* A complete utility subdivision shall be located only in a primary or industrial service area. Fifty (50) percent of all lots in a major subdivision shall exceed the minimum lot width and lot area designated by the village zoning ordinance by at least six (6) percent. Another twenty-five (25) percent of all lots shall exceed the minimum lot width by at least twelve (12) percent. Corner lots shall be at least twelve (12) percent larger than the minimum zoning requirements.

(c) *Partial or potential utility subdivision in a primary service area.* A partial or potential utility subdivision in a primary service area shall only be permitted where the village cannot physically provide public water or public sanitary sewers at the time of platting. A partial or potential utility subdivision is prohibited in a primary service area where utilities are reasonably available or where the village arranges to make them reasonably available. The following density controls shall apply where such full utilities are not supplied:

- (1) The plat may conform to section 47-61, provided the owner formally agrees to sell only every other lot in the plat until all utilities are installed;
- (2) Where one such utility is installed, the owner may sell all lots without restriction, provided all lots exceed the zoning lot width and area requirements by at least twenty-five (25) percent; or
- (3) Where no such utilities are installed, the owner may sell all lots without restriction, provided all lots exceed the zoning lot and area requirements by at least fifty (50) percent.

(d) *Partial or potential utility subdivision in a secondary service area.* A potential utility subdivision located in a secondary service area is prohibited where a public water system or a public sanitary sewer system is reasonably available or where the village arranges to make them reasonably available. The minimum lot width and lot area in a partial utility subdivision at the building line shall be one hundred four (104) feet and the minimum lot area shall be fifteen thousand six hundred (15,600) square feet, provided that fifty (50) percent of all lots shall be six (6) percent greater than the minimum and twenty-five (25) percent of all lots shall be twelve (12) percent greater than the minimum. Corner lots shall be at least twelve (12) percent larger than the minimum zoning requirements. In a potential utility subdivision, the minimum lot width shall be one hundred thirty (130) feet and the minimum lot area shall be nineteen thousand five hundred (19,500) square feet.

(e) *Private service subdivisions.* The minimum width of lots at the building line shall be one hundred sixty-five (165) feet, and the minimum lot area shall be thirty-five thousand (35,000) square feet.

(Ord. of 12-13-05)

Sec. 47-135. Variations in primary service area.

If the average width of all lots in a complete or partial subdivision in the primary service area exceeds ninety (90) feet, improvement standards may vary with the density of development, to encourage larger lot sizes as follows: All provisions of complete utility subdivisions shall be met, except that one four-foot sidewalk on one side of the street may be permitted, instead of two (2) sidewalks.

(Ord. of 12-13-05)

Sec. 47-136. Partial or potential utility subdivision in secondary service areas.

For partial or potential utility subdivisions in secondary service areas, the same requirements shall be met as specified in complete utility subdivisions except:

- (1) A four-foot sidewalk on one side of each street only is required.
- (2) Only public sewer or public water need be provided or arranged for.

(Ord. of 12-13-05)

Sec. 47-137. Variations in subdivisions in secondary service area.

If the average width of all lots in a potential utility subdivision in the secondary service area exceeds one hundred twenty (120) feet and the average lot area exceeds eighteen thousand (18,000) square feet, the planning commission may vary the standards of a partial or potential utility subdivision in the secondary service area as follows:

- (1) Sidewalk provisions may be waived unless needed to provide access to schools or to continue a walk on an existing street.
- (2) All streets constructed in such subdivisions in the village shall be of a width of not less than sixty (60) feet, and blacktop asphalt surfacing shall be thirty-six (36) feet, but blacktop asphalt surfacing shall not be placed on any street until the street shall be constructed with sewer, water mains and with cement curbing and gutter.

(Ord. of 12-13-05)

Sec. 47-138. Streets.

All subdivision streets shall conform in width, direction and alignment with the major street plan and shall connect with existing streets without jogs or sharp angles. Curving local streets shall have a minimum inside radius of one hundred (100) feet, and the minimum width of street easements shall be sixty (60) feet. For streets which may be required for major use, a greater curve radius and easement width shall be required by the village council. A curb and gutter, one lane of pavement and normal drainage shall be required along major streets abutting a plat.

(Ord. of 12-13-05)

Sec. 47-139. Lots.

Every subdivision lot must have at least seventy-five (75) feet of frontage on a dedicated public street. No lot facing a state or federal highway may have a frontage or width at the highway right-of-way of less than one hundred thirty-two (132) feet.

(Ord. of 12-13-05)

Sec. 47-140. Dead-end streets.

Dead-end streets in a subdivision shall not exceed eight hundred (800) feet in length, unless a paved outlet street is provided when required to adjacent property. There shall be a turnaround roadway with a minimum outside curb radius of forty-five (45) feet at the closed end, unless the village council approves the use of a T- or Y-shaped turning area. All stub streets to adjacent properties shall be fully improved as part of the subdivision.

(Ord. of 12-13-05)

Sec. 47-141. Block lengths.

No subdivision block shall exceed one thousand (1,000) feet in length or a shorter length determined to be necessary by the village council. Pedestrian crosswalks across blocks or utility easements within a block may be required by the village council.

(Ord. of 12-13-05)

Sec. 47-142. Reserve strips.

No subdivision showing reserve strips controlling access to streets shall be approved, except where the control and disposal of such land has been placed with the village or the county road commission. The village council may require the dedication of a reserve strip along a county, state or federal highway to prohibit access to the highway from lots to be used for residential purposes.

(Ord. of 12-13-05)

Sec. 47-143. Street grades.

No subdivision street grade shall be less than one-half of one percent, nor greater than seven (7) percent.

(Ord. of 12-13-05)

Sec. 47-144. Lots unsuited for use intended.

Where there is a question as to the suitability of a subdivision lot for its intended use due to factors such as soil formations, flood conditions, high water table or similar circumstances, the planning commission shall, after adequate investigation, withhold approval of such lots. Such lots shall be combined with other lots in such manner as to prohibit future resubdivision.

(Ord. of 12-13-05)

Sec. 47-145. Easements.

(a) Where a subdivision is traversed by a watercourse, drain or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with lines of the watercourse, with such further width for construction or maintenance, in no case less than twenty (20) feet in width.

(b) The planning commission may require a twenty-foot easement along the interior rear lot lines of a block for future utility facilities.

(Ord. of 12-13-05)

Sec. 47-146. Public sites and open spaces.

Where a proposed park, playground, school or other public use shown in the master plan is located in whole or in part in a subdivision, the planning commission shall bring such to the attention of the platter and the village council and discuss the question of acquiring such areas by dedication, reservation or payment.

(Ord. of 12-13-05)

Sec. 47-147. Monuments.

Monuments shall be placed and shall be of such material, size and length as set forth in the Land Division Act No. 288 of the Public Acts of Michigan of 1967, (MCL 560.101 et seq.).

(Ord. of 12-13-05)

Sec. 47-148. Business and industrial subdivisions.

Where land is subdivided to be used for business or industrial purposes permitted by the village zoning ordinance, the services and improvements to be required shall be fixed by the planning commission with reference to the use and density of the subdivided area and the type of business or industrial activity to be carried on in the subdivided area in accordance with the intent of the provisions of required improvements in major subdivisions. Specifications and size of such improvements shall be established by the village council.

(Ord. of 12-13-05)

Sec. 47-149. Street names.

All subdivision street names will be subject to approval of the village council and may be required to conform to the village numbering system.

(Ord. of 12-13-05)

Secs. 47-150—47-170. Reserved.

ARTICLE V. IMPROVEMENTS**Sec. 47-171. Delayed improvements.**

With adequate agreements and surety bonds posted, the village council may waive required subdivision improvements other than storm drains, sanitary sewers and water lines and road base for a two-year period or until over half of the lots along a section of unimproved street are sold, whichever is the shorter period.

(Ord. of 12-13-05)

Sec. 47-172. Private service subdivisions.

Prior to the granting of final plat approval for a private service subdivision the subdivider shall have installed or have agreements for the installation of the following improvements:

- (1) *Roads.* All roads constructed in the private service subdivisions in the village shall be of a width of not less than sixty (60) feet, and blacktop asphalt surfacing shall be thirty-six (36) feet, but blacktop asphalt surfacing shall not be placed on any street until the street shall be constructed with sewer, water mains and with cement curbing and gutter.
- (2) *Drainage.* Culverts, catch basins, storm drains or ditches connecting to an existing system as approved by the village council shall be provided.
- (3) *Other.* The requirements of complete utility subdivisions for shade trees, topsoil protection, monuments and street signs shall be met.

(Ord. of 12-13-05)

Sec. 47-173. Complete utility subdivisions.

Prior to the granting of final plat approval for a complete utility subdivision, the subdivider shall have installed or have agreements for the installation of the following improvements:

- (1) *Pavement and curbs.* A graded and paved street of not less than thirty (30) feet between curb faces, surfaced according to village specifications with asphalt or an equally satisfactory surfacing with concrete curbs and gutters as approved by the village council.
- (2) *Water.* A public water supply of a size specified by the village available at the property line of each lot within the subdivision, together with a contract for the installation of fire hydrants in locations approved by the village.
- (3) *Sewers and drainage.* Sanitary sewers available at the property line of each lot within the subdivision, culverts, catch basins and storm sewers of a size specified by the village properly connected to or provision made for connection to an existing system as approved by the village.
- (4) *Sidewalks.* Four-foot sidewalks shall be installed on both sides of the street in accordance with the specifications of the village.

- (5) *Shade trees.* Shade trees, at least one to a lot, but not closer than fifty (50) feet from trunk to trunk nor closer than eight (8) feet to a street right-of-way, of a type, size and location to be approved by the village council.
- (6) *Topsoil.* No topsoil shall be removed from the site or used as spoil. Topsoil moved during the course of construction shall be redistributed and stabilized by seeding or planting as specified by the village.
- (7) *Monuments.* Monuments shall conform to the specifications contained in the Land Division Act No. 288 of the Public Acts of Michigan of 1967, (MCL 560.101 et seq.).
- (8) *Street name signs.* Signs shall be placed at all intersections within or abutting the subdivision. The type and location shall be specified by the village DPW superintendent.

(Ord. of 12-13-05)

Chapter 48

RESERVED

