

ARMADA TOWNSHIP

SUBDIVISION CONTROL ORDINANCE

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TOWNSHIP OF ARMADA
SUBDIVISION CONTROL ORDINANCE

ARTICLE I

TITLE, PURPOSES AND DEFINITIONS

Section 1.00 SHORT TITLE

This chapter shall be known and may be cited as the "Armada Township Subdivision Ordinance."

Section 1.01 PURPOSES

The subdivision of land shall be regulated:

- A. To promote and protect the public health, safety, peace, comfort, convenience and general welfare of the public.
- B. To provide for orderly growth and harmonious development of the community.
- C. To secure adequate traffic circulation through coordinated street systems and, thereby, lessen congestion in the streets and highways.
- D. To facilitate the provision of adequate transportation, water, sewage, recreation, and other public infrastructures and service requirements.
- E. To facilitate the subdivision of larger tracts into smaller parcels of land.
- F. To promote and facilitate the provision of a desirable and reasonable environment for human habitation, including the ecological balance by the preservation of significant natural environmental attributes such as trees, woods, streams, lakes, floodplains, wetlands and natural topographical features.
- G. To encourage unique individual, creative and innovative concepts related to the development of land and the making of plats.
- H. To provide logical procedures for the achievement of these purposes.
- I. To improve living conditions within Armada Township.

Section 1.02 DEFINITIONS

All terms, as defined in the State of Michigan Subdivision Control Act of 1967 (Act 288 P.A. of 1967, as amended), shall control in this Subdivision Control Ordinance, unless otherwise defined hereinafter in this Section.

A. For the purpose of this Ordinance, certain words, terms and phrases shall be defined as follows:

1. **Block** - Property abutting one side of a street and lying between the two nearest intersecting streets; or between the nearest such street and railroad right-of-way, unsubdivided acreage, creek or live stream; or between any of the foregoing and any other barrier to the continuity of development.
2. **Building Line or Setback Line** - A line established, in general, parallel to the front street right-of-way line at the minimum front yard setback distance.
3. **Commission** - The Planning Commission of the Township of Armada.
4. **Clerk** - The Clerk of the Township of Armada.
5. **Easement** - A grant by the owner of the use of a strip of land by the public, a corporation, or persons, for specific uses and purposes, to be designated as a "public" or "private" easement, depending on the nature of the use.
6. **Environmental Effects** - The impact of the physical development of the land with its proposed characteristics on the components of environmental quality (e.g., health, density, space and beauty) as they relate to the site, the adjacent land, the neighborhood and the community.
7. **Improvements** - Grading, street surfacing, curb and gutter, sidewalks, crosswalks, water mains and lines, sanitary sewers, storm sewers, culverts, bridges, utilities and other additions to the natural state of land which increase its value, utility or habitability.
8. **Lot** - A measured portion of a parcel or tract of land, which is described or fixed in a recorded plat.

9. **Master Plan** - The comprehensive land use plan for the Township of Armada, including graphic and written proposals and recommendations indicating the general locations recommended for the streets, parks, schools, public buildings, zoning districts, and all physical developments of the Township, and includes any unit or part of such Plan separately adopted and any amendments to such Plan or parts thereof duly adopted by the Planning Commission.
10. **Master Streets or Thoroughfare Plan** - The part of the Master Plan which sets forth the location, alignment and dimensions of existing and proposed streets and thoroughfares, and any Federal, State, Inter-County and County designations as they relate to the functional classification of public roadways within the Township.
11. **Municipal Engineer** - The staff engineer or consulting engineer of the Township.
12. **Municipal Planner** - The staff planner or consulting planner of the Township.
13. **Performance or Financial Guarantee** - Any security, including performance bonds, cash, letters of credit, escrow agreements, and other similar collateral or surety agreements, which may be accepted by the Township Board as a guarantee that required subdivision improvements will be made by the proprietor or that existing roads or improvements will be repaired if damaged by the proprietor of the subdivision.
14. **Plat** - A map or chart of a subdivision of land.
 - a. **Preliminary Plat** - A map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration.
 - b. **Preliminary Plat - Tentative** - A map indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for review and to meet the requirements and procedures set forth in this Ordinance.
 - c. **Preliminary Plat - Final** - A map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration in determining compliance with State, County and Township requirements.

- d. **Final Plat** - A map of all or part of a subdivision providing substantial conformance to the Preliminary Plat of the Subdivision, prepared in conformance with the requirements of the State Subdivision Control Act and this Ordinance.
15. **Parcel (or Tract)** - A continuous area or acreage of land which can be described as provided for in the State Subdivision Control Act.
16. **Proprietor** - A natural person, firm, association, partnership, corporation, or combination of any of them, which may hold any ownership interest in land, whether recorded or not.
17. **Shall and May** - The word "shall" is mandatory; and the word "may" is permissive.
18. **Site Condominium** - A single-family residential complex whose appearance is similar to that of a single-family subdivision, but whose ownership, rights and responsibilities are established through the provisions of Act 59 of the Public Acts of 1978, as amended.
19. **State Subdivision Control Act** - The Subdivision Control Act of 1967, as amended, being Act No. 228 Public Acts of 1967, as amended.
20. **Street** - Any thoroughfare, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is a State, County or Township roadway; or, a street or way shown in a plat approved pursuant to law or approved by official action; or a street or way on a plat duly filed and recorded in the office of the County Register of Deeds. A street includes the land between the right-of-way lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks; parking areas and landscape area.
- a. **Major Thoroughfare** - An arterial road of great continuity which is intended to serve as a large volume trafficway for both the immediate Township area and region beyond, and may be designated in the Township's or other governmental agency's Major Thoroughfare Plan as a major thoroughfare, parkway, expressway, or equivalent term to identify those streets comprising the basic framework of the street plan.
- b. **Collector Street** - A road intended to serve as a major means of access from local streets to major thoroughfares, including principal entrance streets to large-scale developments.

- c. **Minor or Local Street** - A road of limited continuity used primarily for access to abutting residential properties.
 - d. **Marginal Access** - A minor road paralleling, and adjacent to, a major thoroughfare which provides access to abutting properties and protection from through traffic.
 - e. **Boulevard** - A street developed to two, two-lane, one-way pavements separated by a median.
 - f. **Cul-de-sac** - A short street having one end permanently terminated by a vehicular turnaround.
 - g. **Alley** - A service lane used primarily to provide secondary vehicular access to the rear or side of properties otherwise abutting upon a street.
21. **Subdivide or Subdivision** - The partitioning or dividing 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 year, or of building development, where the act of division creates five (5) or more parcels of land each of which is ten (10) acres or less in area; or five (5) or more parcels of land, each of which is ten (10) acres or less in area are created by successive divisions within a period of ten (10) years.
- "Subdivide or "subdivision" does not include a property transfer between two or more adjacent parcels, if the property taken from one 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.
22. **Zoning Ordinance** - The Zoning Ordinance of the Township of Armada.

ARTICLE II

SUBDIVIDING PROCEDURES

Section 2.00 INITIAL PLAT INVESTIGATION (CONCEPT REVIEW)

Prior to the preparation of a plat, it is suggested that the proprietor meet informally with the Township to investigate the procedures and standards of the Township and to review and examine the proposals and recommendations of the Master Plan as they affect the area in which the proposed subdivision is located.

- A. During initial investigation, concept review, or sketch plan, the proprietor shall be concerned with the following factors:
1. Securing copies of the Zoning Ordinance, Subdivision Control Ordinance, engineering specifications, wetland maps, floodplain maps, and other similar ordinances or controls relative to the subdivision and improvement of land so as to make himself aware of the requirements of the Township.
 2. That the area is properly zoned for the intended or proposed use.
 3. The adequacy of existing schools and the adequacy of public open spaces, including parks, recreation areas and playgrounds, to serve the proposed subdivision.
 4. The relationship of the proposed subdivision with respect to major thoroughfares and plans for widening of thoroughfares.
 5. Availability, adequacy and standards for sewage disposal, water supply and storm drainage.
 6. Environmental features, such as mature trees, stands of trees, topographic features, drainageways, water bodies, floodplains, wetlands, etc., and determining how these features will be integrated into proposed development plans.
- B. The proprietor may elect, at this point in time, to submit a sketch plan showing the proposed development of the subdivision in schematic form, including the area of first development (10 copies requested). Such sketch plan shall include:
1. General layout of streets and lot(s).

2. Existing characteristics and conditions of the site.
3. Any areas set aside for schools, parks and other community facilities.

The purpose of a sketch plan is to obtain greater insight into the desires and/or requirements of the proprietor and Township and, thereby, facilitate subsequent submissions. Nothing in this Ordinance, however, shall be so construed as to require a sketch plan nor approval thereof. The sketch plan shall serve only as a general guide for the proprietor and the Township.

Section 2.01 PRELIMINARY PLAT

The preparation of a Preliminary Plat shall be carried out through two phases: Tentative and Final Preliminary Plat approval, all in accordance with the procedures in this Section.

A. Preparation for Tentative Approval.

The Preliminary Plat shall be prepared in accordance with Sections 111 and 112 of the State of Michigan Subdivision Control Act and in accordance with the requirements of this Ordinance.

1. Subdivision Identification and Description.
 - a. Proposed name of subdivision.
 - b. Location by section, town and range, or by other legal description.
 - c. Names, addresses and phone numbers of the proprietor, owner, planner, landscape architect, designer, engineer or surveyor who designed the subdivision layout. The proprietor shall also indicate his/her interest in the land.
 - d. A plat of the area to be subdivided shall be prepared and sealed by a registered land surveyor or civil engineer. The scale of the plat shall be no greater than 1" = 100'.
 - e. Date.
 - f. Northpoint and scale.

2. Existing Conditions.

The Preliminary Plat (tentative stage) shall include:

- a. 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.
- b. Boundary line of proposed subdivision, section or corporation lines within, or adjacent to, the tract and overall property dimensions.
- c. Property lines of adjacent tracts of subdivided and unsubdivided land shown in relation to the tract being proposed for subdivision, including those of areas across abutting roads.
- d. Location, widths and names of existing or prior platted streets and private streets, and public easements within, or adjacent to, the tract being proposed for subdivision, including those located across abutting roads.
- e. Location of existing sewers, water mains, storm drains and other underground facilities within, or adjacent to, the tract being proposed for subdivision.
- f. Topography drawn as contours, with an interval of at least two (2) feet. Topography to be based on U.S.G.S. datum.
- g. Drainage patterns shall be depicted on a topographic map, including any rivers, streams, ditches and retention areas.
- h. The boundary(ies) of any floodplains, water bodies, problem soil areas, wetlands, etc., shall be presented on the plat map.
- i. Site vegetation shall be inventoried and presented on a plat map, indicating type, size and locations, with particular attention given to trees of five (5) inches or more in caliper D.B.H. (Diameter at Breast Height). Stands (groupings) of trees may be depicted by their outer boundaries, with a description of the types, sizes and number of trees involved.

3. Proposed Conditions.

The Preliminary Plat (tentative stage) shall include:

- a. Layout of streets indicating proposed street names, right-of-way widths and locations and connections with adjoining platted streets, and also the widths and location of easements.
- b. Layout, numbers and dimensions of lots, including building setback lines showing dimensions.
- c. 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. Any lands retained for use by lot owners shall be accompanied by documents which describe the property and the provisions which provide for its preservation and maintenance.
- d. An indication of the ownership of and existing and proposed use of any parcels identified as "excepted" on the plat. If the proprietor has an interest or owns any parcel so identified as "excepted," the plat shall indicate how this property could be developed in accordance with the requirements of the existing zoning district.
- e. An indication of the system proposed for sewage by a method approved by the Macomb County Health Department or other applicable authorities.
- f. An indication of the system proposed for water supply by a method approved by the Macomb County Health Department or other applicable authorities.
- g. An indication of the storm drainage proposed by a method approved by the Macomb County Drain Commissioner.
- h. 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 or concept plan for 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. Each subsequent plat shall follow the same procedure until the entire area controlled by the proprietor is subdivided.

- i. Indicate any areas depicted on the survey of environmental features and any related protective measures, modifications and/or removal proposals; the Township's concern being in coordinating these features into the proposed development rather than their removal.

B. Preliminary Plat Process - Tentative Approval.

1. Filing and Initial Processing.

- a. The proprietor shall file ten (10) copies of a valid and complete preliminary plat of the proposed subdivision, together with a written Application for Subdivision Approval (Appendix B), necessary fees, and any other information required to be submitted under the State Subdivision Control Act, with the Township Clerk. The applicant shall also submit seven (7) copies of the subdivision to the Macomb County Plat Coordinating Committee and one (1) copy to the School District having jurisdiction in the area. Although State law suggests a maximum of ten (10) copies, the submittal of twenty (20) copies would be preferred. Such filing shall be at least fourteen (14) days prior to the regularly scheduled Planning Commission meeting, if discussion or action will be requested at that meeting.
- b. The proprietor shall submit accurate and complete evidence of title and ownership.
- c. The Township Clerk shall examine and check for completeness of the preliminary plat as required in this Ordinance. If the plat is complete, it shall be received by the Township Clerk and filed for processing. If complete and basically in conformance with applicable Township requirements, the Clerk shall place the proposal on the agenda of the next regular Planning Commission meeting. If the application is incomplete, the Clerk shall inform the proprietor of the data required and that the filing of the application will be delayed until the required data is received.
- d. The Clerk shall transmit a copy of the complete preliminary plat to the appropriate Township Departments, the Municipal Engineer and the Municipal Planner for their technical review and recommendation. The Engineer and Planner shall provide their reviews and recommendations to the Planning Commission within thirty (30) days of receipt of the preliminary plat.

2. Planning Commission - Tentative Approval.

- a. When all required information has been received by the Township Clerk, the Clerk shall transmit the plat to the Planning Commission. The Planning Commission shall act upon the preliminary plat (tentative stage) within sixty (60) days of its filing and acceptance by the Clerk.

It shall then be the duty of the Clerk to send a notice by first class mail to the owners of land within 300 lineal feet of the subject site (as reflected in the latest tax rolls). The notice shall contain a description of the subject site, an indication of the type of development proposed and the time and place of the meeting of the Planning Commission to consider said preliminary plat. Notice shall also be sent to the proprietor. Said notices shall be sent not less than five (5) days before the date fixed for said meeting of the Planning Commission.

- b. The Planning Commission shall review all details of the proposed subdivision as to its conformance to this Subdivision Control Ordinance, the Zoning Ordinance, the various elements of the Master Plan, and for compliance with all applicable ordinance provisions and published standards of the Township. The Commission shall examine the adequacy of utility provisions, coordination with proper and reasonable street and right-of-way alignments and/or extensions, and other provisions of development which fulfill the needs of the general public, safety and welfare.
- c. The Planning Commission shall recommend approval, conditional approval, or disapproval of the preliminary plat to the Township Board.
 - 1) Should the Planning Commission disapprove the preliminary plat, it shall record the reasons in the minutes of the meeting. A copy of the minutes shall be sent to the proprietor. A copy of the decision, together with all technical comments, recommendations and other pertinent background data, shall be forwarded to the Township Board for consideration of the matter.

2) Should the Planning Commission find that conditions have been satisfactorily met, it may give tentative approval or tentative conditional approval, as the case may be, to the preliminary plat. The Chairperson shall make a notation to that effect on each copy of the preliminary plat and distribute copies of same as follows:

- a) Return one (1) copy to the proprietor.
- b) Retain one (1) copy which shall become a matter of permanent record in the Planning Commission files.
- c) Forward one (1) copy to the local School Boards or School Superintendent of the School Districts having jurisdiction in the area concerned.
- d) Forward the remaining copies to the Township Board, together with all other pertinent data, via the Clerk's office, with recommendations for tentative approval or tentative conditional approval, as the case may be.

3. Township Board - Tentative Approval.

- a. The Township Board will not review a preliminary plat until it has received the review and recommendations of the Planning Commission thereon. Following the receipt of such recommendations, the Township Board shall take action on the preliminary plat. Such action shall be taken within ninety (90) days of the date of filing with and receipt by the Township Clerk.
- b. In the event the Township Board gives tentative approval or conditional tentative approval of the preliminary plat, the Township Board shall record its approval on three (3) copies of the preliminary plat and distribute as follows:
 - 1) Furnish one (1) copy to the proprietor.
 - 2) Place one (1) copy in the Township Clerk's official file.
 - 3) Return one (1) copy to the Planning Commission for their files.

- c. Approval of the preliminary plat (tentative stage) shall not constitute final approval of the preliminary plat. It shall confer on the proprietor, approval of lot sizes, lot orientation and street layout and shall serve as a guide to the preparation of a final preliminary plat.
- d. Tentative approval of the Township Board shall be effective for a period of twelve (12) months from the date of such tentative approval. Should the preliminary plat, in whole or in part, not be submitted for final tentative approval within the 12-month time limit, the preliminary plat must again be submitted to the Planning Commission and Township Board for approval. An extension may be applied for by the proprietor, and such request may be granted in writing by the Township Board if the request is made within the 12-month timeframe.
- e. In the event that the Township Board shall reject or disapprove the preliminary plat, the Township Board shall set forth in writing its reasons for rejection or disapproval and shall indicate the requirements for tentative approval.

C. Preliminary Plat Process - Final Approval.

- 1. Within one (1) year after having received approval of the tentative preliminary plat, the proprietor shall submit the preliminary plat for final approval. The plat shall be prepared in accordance with the State Subdivision Control Act and in accordance with the requirements of this Ordinance. The proprietor is encouraged to work closely with the Township Engineer during the development of the plat through this stage of procedures.
- 2. The preliminary plat which is being submitted for final approval shall include the changes required by the Township, County and State agencies. In addition, it shall include:
 - a. Subdivision Identification and Description - Same as Section 2.01.
 - b. Existing Conditions - Same as Section 2.01.
 - c. Proposed Plat Drawings - Drawings including data set forth in Section 2.01, as approved and/or modified in the tentative approval. Designs for improvements shall be in accordance with those set forth herein and by other authorizing agencies.

3. The proprietor shall submit ten (10) copies of the final preliminary plat layout and five (5) copies of all construction drawings, detail sheets, etc. All necessary copies shall be filed with the Clerk at least fourteen (14) days prior to the Planning Commission meeting at which it will be introduced for consideration for approval at its next regularly scheduled meeting.
4. The proprietor shall submit a certified list of all required authorities to which the plat has been submitted for review (Sections 112 to 119 of the State Subdivision Control Act). They shall also submit copies of the necessary approvals from those agencies.
5. The proprietor shall deposit the sum required to cover costs of reviewing the plat and layout, said deposit to be made at the time the Preliminary Plat is submitted for final approval to the Clerk.
6. The proprietor shall submit, as evidence of title, a policy of title insurance or a legal opinion with reference to ownership for examination in order to ascertain as to whether or not all the necessary and proper names appear on the plat. Such policy of title insurance shall be in a form acceptable to the Township of Armada.
7. Review by the Planning Commission - Final Approval of the Preliminary Plat.
 - a. One (1) copy each of the preliminary plat shall be transmitted by the Clerk to the Municipal Engineer and the Municipal Planner for their technical review, comment and recommendation. The Municipal Planner shall check the proposed plat for substantial conformance with the plat tentatively approved. Special attention shall be given to completeness of data submitted, the circulation patterns as approved, finalized lot sizes and arrangements, coordination with abutting properties and land uses, and integration of environmental features into the plat design.

The Municipal Engineer shall check all drawings and information for technical competence and compliance with the State Subdivision Control Act and the requirements of Township Ordinance provisions and engineering standards. Substantial departure from the concepts and proposals, as approved in the tentative plat, shall be reported. The written recommendation on the plat shall be submitted to the Planning Commission.

- b. Upon receipt of the Engineer's and Planner's recommendations, the Planning Commission shall review the plat taking into account:
 - 1) The reviews of the Engineer and the Planner.
 - 2) Compliance with the tentative approval of the preliminary plat.
 - 3) Compliance with the Master Plan.
 - 4) Compliance with the Zoning Ordinance and other Township codes.
- c. The Planning Commission shall submit their findings and recommendation to the Township Board and record their reasons in their official minutes.

8. Township Board - Preliminary Plat Final Approval.

- a. The Township Board will not review the preliminary plat until it has received the recommendation of the Planning Commission and verification that all of the requirements of the State Subdivision Control Act and this Ordinance have been complied with. The Township Board shall consider the preliminary plat and shall take action as specified in Section 2.01(3)a. within twenty (20) days of the date that sufficient evidence that Section 120 (1)(c) of the State Subdivision Control Act has been satisfied.
- b. If the preliminary plat conforms substantially to the plat tentatively approved by the Township Board and meets all conditions established and required for preliminary approval, the Township Board shall give final approval to the preliminary plat.
- c. Should the Township Board give final approval to the preliminary plat, it shall be deemed to confer upon the proprietor the right to proceed with the preparation of the final plat.
- d. The Clerk shall promptly notify the proprietor of approval or rejection in writing; if rejected, reasons shall be given.

- e. Final approval shall be effective for a period of two (2) years from the date of final approval. The two (2) year period may be extended for one year at a time if applied for by the proprietor and granted by the Township Board in writing.
- f. No installation or construction of any improvements shall be made before the preliminary plat has received final approval of the Township Board, engineering plans have been approved by the Municipal Engineer, and any deposits or performance guarantees required under this Ordinance have been received by the Township.

Section 2.02 FINAL PLAT

The procedure for preparation and review of a Final Plat shall be as follows:

A. Preparation.

- 1. The final plat shall comply with the provisions of the State Subdivision Control Act.
- 2. The final plat shall conform substantially to the preliminary plat as approved and it may constitute only that portion of the approved preliminary plat which the proprietor proposed to record and develop at the time; provided, however, that such portion conforms to this Subdivision Control Ordinance.
- 3. The proprietor shall submit, as evidence of title, in a form acceptable to the Township of Armada, a policy of title insurance for examination in order to ascertain whether or not all the necessary and proper parties have signed the plat.

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 Clerk and shall deposit such sums of money as the Township Board may require herein or by other ordinances.
- 2. The final plat shall be reviewed by the Municipal Engineer as to compliance with the approved preliminary plat and plans for utilities and other improvements.

3. The Municipal Engineer shall notify the Township Board of the recommendation for either approval or rejection of the final plat.
4. The Township Board shall review all recommendations and take action on the final plat within twenty (20) days of its date of filing.
5. Upon the approval of the final plat by the Township Board, the subsequent approvals shall follow the procedure set forth in the State Subdivision Control Act. The three (3) prints of the final plat shall be forwarded: one (1) to the Clerk; one (1) to the Planning Commission; and one (1) to the Building Department. The five (5) mylar copies shall be forwarded to the Clerk of the County Plat Board.
6. When all necessary improvements have been approved and accepted by the Township Board, a certified approved plat shall be transmitted to the Clerk of the County Plat Board. One (1) complete set of "as built" mylar drawings of the utilities and public improvements shall be filed with the Clerk, with a second copy submitted to the Municipal Engineer.

ARTICLE III

DESIGN PRINCIPLES AND STANDARDS

3.00 GENERAL

- A. Every subdivision shall conform to the requirements and purposes of the Township's Master Land Use Plan, or any parts thereof, as adopted by the Planning Commission, the Zoning Ordinance and the Public Acts of the State of Michigan.**
- B. Whenever a tract to be subdivided embraces any part of a street designated on the Master Land Use Plan, such street shall be platted in the location and width indicated on such plan.**

3.01 STREET LOCATION AND ARRANGEMENT

- A. The proposed subdivision streets shall conform to the various elements of the Master Land Use Plan and shall be considered in relation to the existing and planned major thoroughfares and collector streets. Such streets shall be platted in the general location and width indicated on such plan.**
- B. The street layout shall provide for continuation of collector streets in the adjoining subdivisions or of the proper projection of streets when adjoining property is not subdivided; or conform to a plan for a neighborhood unit adopted by the Commission.**
- C. The street layout shall include local streets so laid out that their use by through traffic shall be discouraged.**
- D. Should a proposed subdivision border on or contain an existing or proposed major thoroughfare, the Commission may require marginal access streets, reverse frontage, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation and reduction of traffic hazards.**
- E. Certain proposed streets, as indicated by the Planning Commission, shall be extended to the boundary line of the plat to provide for satisfactory future circulation within the neighborhood.**
- F. Half streets shall be prohibited.**

- G. Street right-of-way widths shall conform to at least the following minimum requirements:

<u>Street Type</u>	<u>Right-of-Way Widths</u>
1. Major Thoroughfare	120 feet *
2. Collector Streets	86 feet
3. Industrial Service Streets	70 feet
4. Multiple-Family Residential Streets where platted	60 feet
5. Minor (Single-Family Residential) Streets	60 feet
6. Marginal Access Streets	50 feet
7. Turn-around (Loop) Streets	120 feet
8. Cul-de-sac Streets/Turn-Arounds:	
a. Industrial	75 - foot radius
b. Residential and Others	60 - foot radius
9. Maximum length for all cul-de-sac streets shall generally be eight hundred (800) feet.	

- H. The Commission may require acceleration, deceleration and passing lanes where the Commission determines that such are necessary for traffic flow and safety.
- I. Standards for maximum and minimum street grades, grading, centerline gradients, vertical and horizontal street curves, and sight distances shall be as established by the Township Engineer.
- J. Streets shall be laid out so as to intersect as nearly as possible at ninety (90) degree right angles.
- K. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.

* 32 Mile Road and Capac Road/Wolcott Road shall have a right-of-way width of 150 feet.

3.02 BLOCKS

A. Sizes.

1. Maximum length for blocks shall not exceed one thousand three hundred twenty (1,320) feet in length, except where, in the opinion of the Commission, conditions may justify a greater distance.
2. Widths of blocks shall be determined by the condition of the layout and shall be suited to the intended layout.

B. Public Crosswalks.

1. Location of public walkways or crosswalks may be required by the Commission to obtain satisfactory pedestrian access to public or private facilities such as, but not limited to, schools and parks.
2. Widths of these public crosswalks shall be at least five (5) feet of right-of-way, and shall be in the nature of an easement for this purpose.

C. Easements.

1. Location of utility line easements shall be provided along the rear or 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 twelve (12) feet wide.
2. Recommendations on the proposed layout of telephone, gas and electric company easements should be sought from all the 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.

3.03 LOT PLANNING

A. Sizes and Shapes.

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. Corner lots in residential subdivisions shall be platted at least ten (10) feet wider than the minimum width permitted by the Zoning Ordinance.
5. Excessive lot depth in relation to width shall be avoided. A depth-to-width ratio of 4-to-1 shall be considered a maximum.
6. Lots intended for purposes other than residential use shall be specifically designed for such purposes, and shall have adequate provision for off-street parking, setbacks and other requirements in accordance with the Zoning Ordinance.

B. Arrangement.

1. Every lot shall front or abut on a public street or a private street approved by the Township Board. Such streets shall have satisfactory access to an existing public street. Residential subdivision plats must have public streets. Streets within a site condominium will be public at the option of the Township Board.
2. Side lot lines shall be at right angles or radial to the street lines.
3. Residential lots abutting major thoroughfares or collector streets, where marginal access streets are not desirable or possible to attain, shall be platted with reverse frontage lots, or with side lot lines parallel to the major traffic streets, or shall be platted with extra depth to permit generous distances between building and such trafficway.
4. Lots shall have a front-to-front relationship across all streets, where possible.

3.04 NATURAL FEATURES

The proprietor shall seek to protect and preserve natural environmental features to as great a degree as possible. In some instances, various governmental requirements will restrict or otherwise limit use and/or development of specific defined areas. In some other instances, the established rules may be less precise but public benefit(s) may be achieved; in such cases, the proprietor and the Township shall seek to work together and through cooperative and innovative efforts achieve design solutions which are mutually beneficial. Basic areas of concern are as follows:

A. Topographic Features.

The proprietor shall make every effort to minimize mass earth balancing. The integration of slopes into naturally sloping building sites generally results in more valuable building sites. Ancillary benefits include lower earth moving costs and facilitating the retention of more trees and site vegetation and soil.

B. Wooded Areas and Trees.

The proprietor shall seek to achieve a site layout and design which minimizes the removal of trees due to public road rights-of-way, utility easements and individual building sites. Particular attention shall be given to the location and preservation of trees with a five (5) inch or more caliper D.B.H. (Diameter at Breast Height), especially when the trees are of desirable species. Similar concerns shall also be given to stands of smaller caliper trees of desirable species. Retention of natural greenbelt transition areas along exterior property lines shall also be considered, particularly when the adjoining area represents a differing land use than proposed for platting and development. Selective tree cuttings, when part of a legitimate forestry/woodlot management program, shall not be discouraged.

C. Drainage Courses and Needs.

Natural drainage basins and their relationship and effect on drainage courses on-site and down stream shall be considered in site design. On-site retention/ detention of storm water is often a consideration in site design and such needs shall be reviewed with the Township Engineer and/or County Drain Commission. Consideration shall be given to the creation of storm water basins wherever possible to create a settling basin arrangement to filter water before it's discharged off-site; particularly if the discharge is to an active (perennial) stream, river, pond or lake.

D. Streams, Creeks, Drains, Lakes and Ponds.

Modifications to any public water bodies are subject to DNR authorization. Proprietors shall seek to integrate other water bodies into the site design without adversely affecting the environmental quality and character of such feature. When a proprietor seeks to create a man-made or expanded body of water, consultation shall be held with the Township Engineer to review appropriate slope, depth and other design and construction requirements prior to undertaking any excavation, grading or construction work.

E. Wetlands, Unstable and/or Other Problem Soil Areas.

The proprietor shall locate and map the boundaries of any of the above referenced environmentally sensitive areas. In the event the subject area falls under DNR control, the proprietor shall seek to obtain necessary permits prior to submitting the Preliminary Tentative stage plat to the Township. In the event any subsequent DNR permit necessitates a change in the plat the plat shall be returned to the Township to be processed as an amended plat.

Smaller wetland areas shall be considered for integration into drainage or other open space areas wherever practical. Smaller environmentally sensitive areas shall not be retained when their useful existence cannot be reasonably achieved and assured in future years.

F. Floodplains.

Any areas of land within the proposed subdivision which lie either wholly or in part within the floodplain of a river, stream, creek or lake, or any other areas which are subject to flooding or inundation by storm water, shall require specific compliance with the State Subdivision Control Act and review by the Water Resources Commission of the Department of Natural Resources and the Macomb County Drain Commissioner. Any floodplain area shall also meet the requirements of the Township Floodplain Ordinance. The proprietor shall seek to coordinate any floodplain areas with other environmentally sensitive areas to create other positive benefits to residents of the proposed plat and the community-at-large.

ARTICLE IV
STREET AND UTILITY IMPROVEMENTS

4.00 PURPOSE

It is the purpose of this Article to establish and define specific major policies concerning the responsibilities of the subdivider in the detailed planning, construction and financing of public facilities, and to establish procedures for determining compliance requirements.

4.01 RESPONSIBILITY

It shall be the responsibility of the subdivider of every proposed subdivision to have prepared by a registered engineer a complete set of construction plans, including profiles, cross-sections, specifications and supporting data, for the hereinafter required public facilities. Such construction plans shall be based on preliminary plans which have been approved with the preliminary plat and shall be prepared in conjunction with the final plat. Such construction plans shall be prepared in accordance with requirements of the Macomb County Road Commission.

4.02 REQUIRED IMPROVEMENTS

The improvements set forth herein are to be considered as the minimum acceptable standards. Improvements shall be provided by the proprietor in accordance with the Engineering Standards and requirements established by the Township, and/or any other such standards and requirements which may, from time-to-time, be established by Armada Township.

A. Streets.

All streets and appurtenances hereto shall be constructed in accordance with details and specifications of the Macomb County Road Commission.

B. Utilities and Drainage.

Utilities and drainage are required as follows:

1. **Underground Wiring.** The proprietor shall make arrangements for all lines for telephone, electric, television and other similar services distributed by wire or cable to be placed underground entirely throughout a subdivided residential area.

All such conduits or cables shall be placed within private easements provided to such service companies by the proprietor or within dedicated public ways, provided only that overhead lines may be permitted upon written recommendation of the Engineer, Planner, Commission, and the approval of the Township Board at the time of final plat approval, where it is determined that overhead lines will not constitute a detriment to the health, safety or general welfare of the public, or the plat design and character of a subdivision. All such facilities placed in dedicated public ways shall be planned so as not to conflict with other underground utilities. All such facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission. All drainage and underground utility installations which traverse privately owned property shall be protected by easements granted by the proprietor.

2. **On-Site Waste Water Disposal Systems.** Provisions shall be made to provide each lot with a waste water disposal system designed and constructed to comply with the standards and requirements of the Macomb County Health Department or other applicable public authority.
3. **Water Supply.** A water supply system, including all appurtenances, shall be provided for each lot in conformance with the standards and requirements of the Macomb County Health Department or other applicable public authority.
4. **Storm Sewer System.** The proprietor shall provide a proper and adequate storm water system which may involve: storm sewer lines, catch basins, manholes, culverts, bridges, retention/detention basins, controlled discharges, etc. The system shall adequately accommodate storm runoff from lots, open spaces and roadways, and not adversely affect other properties. All such improvements shall comply with the requirements of the Township Engineer, Macomb County Drain Commission or Macomb County Road Commission.

C. Other Improvements.

1. Sidewalks.

- a. In all subdivisions and site condominiums, a five (5) foot concrete sidewalk shall be located one (1) foot from the property line (within the street right-of-way) on each side of the roadway.
- b. The sidewalks shall meet or exceed the requirements established by the Township Engineer.
- c. Where, for a considerable distance, one side abuts on a park, golf course, cemetery or other type of use not requiring a walk, and where continuity is not essential, the Planning Commission may recommend that the requirement of a walk on that side be waived.
- d. Where recommended by the Planning Commission, a crosswalk through blocks shall be constructed to a line and grade as determined by the Township.

2. Street Name Signs. Street name signs shall be placed at all street intersections within or abutting the subdivision, and they shall be located as follows in the order of preference:

- a. Next to stop signs.
- b. At the northeast corner of the intersection.
- c. At the southeast corner of the intersection.

3. Street Trees. Street trees shall be planted at intervals of forty (40) to fifty (50) feet. Such street trees shall be planted between the curb and sidewalk. Trees shall be guaranteed by the developer for a period of at least one (1) year.

Proprietors shall also provide landscaping and trees on boulevards and courts at no less than fifty (50) foot intervals. At least one (1) tree shall also be provided within the front or rear yard areas of each lot. This latter requirement may be waived when a lot has two (2) or more trees of approved species having a caliper of at least three (3) inches D.B.H. (Diameter at Breast Height). If trees cannot be planted because of weather, monies are to be escrowed with the Township adequate to provide for the trees and their planting for the streets and other designated areas.

7. **Greenbelts.** Where recommended by the Planning Commission for residential protection, greenbelts or landscape screen plantings shall be constructed according to Township specifications. Maintenance and guarantees for the period of at least one (1) year shall be at the expense of the subdivider.
8. **Monuments.** Permanent monuments shall be installed in compliance with, and as specified by the State Subdivision Control Act, as amended. Lot irons shall be established per the requirements of the Township Engineer.

4.03 FINANCIAL AND MAINTENANCE GUARANTEES

A. Performance Guarantee.

Prior to the undertaking of any improvements, the proprietor shall deposit, with the Clerk, cash, a certified check, surety bond, or irrevocable bank letter of credit, whichever the proprietor selects, to ensure faithful completion of all improvements within the time specified. The amount of the performance guarantee shall be based on an estimate of construction, inspection and fees prepared by the proprietor's engineer and reviewed and approved by the Township Engineer. Completed construction of all improvements shall be approved by the Township prior to final approval of the plat. The Township shall release funds as work is completed and approved by the Township in ratio to the work that has been completed.

If required improvements of public facilities or landscaping cannot be installed in a timely manner because of weather or seasonal conditions, the subdivider may elect to provide a financial guarantee of performance for the total cost of those facilities or for the landscaping.

B. Maintenance Guarantee.

The Township shall also require a maintenance bond to assure that any existing local street, utility or facilities used in the development of the subdivision is not impaired, broken or damaged, or if such damage is done, that adequate funds are available to restore it to its original condition at the time of construction.

The maintenance bond shall also guarantee the utilities, facilities and road systems in the subject development for a two-year period after the approval and acceptance by Armada Township.

C. Form of Financial Guarantee.

Financial guarantees may include cash, a certified check, negotiable bond, surety bond, or irrevocable bank letter of credit. Such deposits shall be acceptable to the Township Board and shall be deposited with the Township Clerk.

D. Penalty in Case of a Failure to Complete Installation of Improvements.

In the event the subdivider shall in any case fail to complete such work within such period as required by the conditions of the guarantee, the Township Board shall have such work completed. The Township, in order to reimburse itself for the cost and expense thereof, may appropriate the deposits of cash money or negotiable bonds which the subdivider may have deposited in lieu of a surety bond, or may take such steps as may be necessary to require performance by the bonding company.

E. Fees for Inspection of Installed Improvements.

Adequate fees and inspection costs shall be set by the Township Board upon recommendation of the Township Engineer.

F. Progressive Installations.

When any portion of an improvement has been fully completed to the satisfaction of the Township Engineer, he shall recommend, and the Township Board authorize, the reduction in the financial guarantee or bonds or a partial withdrawal of funds equalling the estimated cost of such completed portion.

4.04 INSPECTIONS

- A.** All required improvements shall be inspected on a continuous basis by inspectors authorized by the Township. It shall be the responsibility of the improvement contractors to notify the Township Engineer at least three days in advance for periodic inspections.
- B.** A fee schedule including engineering fees, inspection fees, water and sewer connection charges, and other applicable development charges shall be established by the Township Board.

ARTICLE V

COMPLIANCE STANDARDS, INTERPRETATION AND FEES

5.00 COMPLIANCE

The approvals required under the provisions of this Subdivision Control Ordinance shall be obtained prior to the installation of any project improvements within the Township, in public streets, public alleys, public rights-of-way, and public easements, and/or under the ultimate jurisdiction of the Township or County. All project improvements within public streets, public alleys, public rights-of-way, or public easements, and/or under the ultimate jurisdiction of the Township or County, shall comply with all of the provisions and requirements of this or any other related Code.

5.01 INTERPRETATION

This Subdivision Control Ordinance shall be held to be the minimum requirements adopted for the promotion and preservation of public health, safety and general welfare within the Township. This Subdivision Control Ordinance is not intended to repeal, abrogate, annul or in any manner interfere with existing regulations or laws of the Township, except as may be provided herein, nor conflict with any statutes of the State of Michigan or Macomb County, except that these regulations shall prevail in cases where these regulations impose a greater restriction than is provided by existing statutes, laws or regulations.

5.02 PLANNING REVIEW FEES

Fees for plat reviews by the Township Planner shall be charged to the applicant/developer in accordance with the fee schedule set by the Township Board. There shall be no additional charge for the review of corrected preliminary plats made in accordance with specific Planning Commission direction. Revised plats which represent a major departure from the original lotting and roadway arrangements shall be accompanied by a planner review fee equal to one-half ($\frac{1}{2}$) the original schedule.

5.03 ENGINEERING REVIEW FEES

Fees shall be charged to the applicant for the review of: Tentative Preliminary Plat, Final Preliminary Plat, Final Plat and Subdivision Engineering Plans. These fees shall be established by the Township Board.

5.04 TOWNSHIP REVIEW AND ADMINISTRATIVE FEES

Fees as established by the Township Board shall be charged to the applicant to defray the various administrative processing, notification requirements and reviews by the Planning Commission and the Township Board.

5.05 ATTORNEY FEES

Legal fees by the Township Attorney will be charged to the applicant in accordance with established hourly rates set by the Township Board.

5.06 OTHER FEES

Other public costs incurred by the Township in the planning, engineering design or construction of the subdivision shall be paid by the subdivider.

ARTICLE VI
FURTHER DIVISION OF LOTS

The further partitioning or division of any lot, outlot or other parcel in a recorded plat shall be in accordance with the Armada Township Land Division Ordinance.

ARTICLE VII
VIOLATIONS AND PENALTIES

Any person, persons, firm or corporation, or anyone acting in behalf of said person, persons, firm or corporation, violating any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine of not more than Five Hundred (\$500.00) Dollars, and the costs of prosecution, by imprisonment in the County Jail for a period not to exceed ninety (90) days, or both such fine and imprisonment in the discretion of the Court. Each day that a violation is permitted to exist shall constitute a separate violation.

ARTICLE VIII
SEVERABILITY

This Ordinance and each of the various parts, sections, subsections, sentences, phrases and clauses hereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase or clause is determined to be invalid or unenforceable for any reason by a Court of competent jurisdiction, it is hereby provided that the remainder of this Ordinance shall not be affected thereby and shall remain in full force and effect.

ARTICLE IX

REPEAL

Any and all Ordinances of the Township of Armada and any parts or provisions thereof, to the extent that they are inconsistent with or contrary to the provisions of this Ordinance, are hereby expressly repealed.

ARTICLE X

PUBLICATION OF ORDINANCE

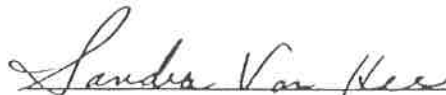
This Ordinance shall be published in accordance with the terms, provisions and requirements of the Township of Armada.

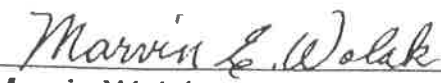
ARTICLE XI

EFFECTIVE DATE

This Ordinance shall become effective on the 20 day of OCTOBER, 1993.

Adopted at a Regular Meeting of the Armada Township Board held on the 13 day of OCTOBER, 1993.


Sandra VanHee
Township Clerk
Armada Township


Marvin Wolak
Supervisor
Armada Township

