

Functional Classification¹
Year 2000 Highway Networks

Classification-Function	Design	Operation	Spacing			Right-of-Way Width ⁵			Pavement Width			Posted Speed (mph)	Traffic Volumes ⁷		
			Urban	Suburban	Rural	Urban	Suburban	Rural	Urban	Suburban	Rural		Urban	Suburban	Rural
Freeway/interstate Provide statewide and regional continuity and unity.	Grade separated; depressed in urban and suburban areas. Requires service drives and buffering. ²	Full control of access. Minimum speed posted. Can have express lanes. ³	Variable; depends upon land use density.			350' or more	350' or more	275' or more	2 at 48'	2 at 36' to 2 at 48'	2 at 24' to 2 at 36'	55—70	144,000	92,000—128,000	58,000—92,000
Regional major arteries Provide regional continuity and unity.	Generally at grade. Intersections with other regional majors and majors are grade separated. Can require service drives and buffering.	Partial control of access. Traffic signals are limited and interconnected. Can have express lanes.	Variable; depends upon land use density.			150'—250'	150'—250'	225	84' or 2 at 48'	84', 2 at 36' to 2 at 48'	2 at 24'	45—65	54,000	48,500	23,000
Major arterial Provide intercounty continuity and unity. "Feed" regional majors and freeways.	At grade. Multilane.	No parking. Signals are interconnected. Can have express lanes.	1—2 mi.	2—4 mi.	3—6 mi.	120'	120'	120'	60'—84'	60'—84'	24'—60'	35—65	30,000—42,000	27,000—38,000	8,000—19,000
Intermediate arterial Provide intracounty and intercommunity continuity.	Multilane in urban and suburban areas.	No parking.	½—1 mi.	1—2 mi.	1—5 mi.	120'	120'	120'	44'—60'	60'	24'	35—65	22,000	25,000	7,000
Minor arterial Collect local traffic and "feed" intermediates.	Multilane in urban and suburban areas.	Parking may be allowed.	¼—½ mi.	½—1 mi.	½—2½ mi.	86'	86'	86'	44'	44'	24'	30	17,000	16,000	6,000
Service drive Provide access to land adjacent to freeways. Serve freeway ramp traffic.	One-way roadways.	Parking allowed.	Adjacent to freeways and regional majors.			Within freeway or regional major right-of-way.			34'	34'	Normally not constructed.	30	9,000	8,000	
Ramp Provide ingress and egress for freeways. Serve turning movements at grade separated intersections.	Single-lane directional roadways.	No parking.	Along freeways, 1 mi. or greater.	Along freeways, 1 mi. or greater.	Along freeways, 2 mi. or greater.	Within freeway right-of-way.			12'	12'	12'	Not applicable.	Not applicable.		
Collector/industrial Collect and distribute traffic from local neighborhoods (both residential and nonresidential) to and from higher classified roads.	Multilane preferably.	Parking allowed.	Not applicable.			76'	76'	66'	32' to 40'	32' to 40'	24' to 24'	30	Not applicable.		
Local streets Provide direct access to all adjacent lanes.	Two-lane roadway.	Parking allowed.	Not applicable.			66'	60'	60'	24' to 30'	24' to 30'	20' to 28'	25	Not applicable.		

1. Criterion enumerated and not absolute.
2. Landscaping, walls, et.c., which soften the impact. of the road.
3. Lanes reserved for bus transit. and/or pools .
4. Volumes are at level of service "C.II
5. Minimum width; local communities may opt for additional right-of-way.

(b) *Street gradients.*

(1) *Maximum grade.* Street grades shall not exceed eight percent on either local streets or six percent on collector streets.

(2) *Minimum grade.* No street grade shall be less than 0.4 percent.

(c) *Street alignment.*

(1) *Horizontal alignment.* When street lines deflect from each other by more than ten degrees, in alignment, the centerlines shall be connected by a curve with a minimum radius of 500 feet for arterial streets, 300 feet for collector streets, and 150 feet for local or minor streets. Between reverse curves, on minor streets, there shall be a minimum tangent distance of 100 feet, and on collector and arterial streets, 200 feet.

(2) *Vertical alignment.* Minimum sight distances shall be 500 feet for minor streets and 750 feet for collector streets.

(Comp. Ords. 1987, § 17.133)

Sec. 34-144. Same-Street names.

(a) Street names shall not duplicate any existing street name in the township, except where a new street is a continuation of an existing street. Street names that may be spelled differently but sound the same shall be avoided also. Duplications can be avoided by checking new street names with the planning commission's master listing and with the county road commission.

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

(Comp. Ords. 1987, § 17.134)

Cross reference-Streets, sidewalks and other public places, ch. 58.

Sec. 34-145. Intersections-Angles.

Streets shall intersect at 90 degrees or closer thereto and, in no case, at less than 80 degrees.

(Comp. Ords. 1987, § 17.141)

Sec. 34-146. Same-Sight triangles.

Minimum clear sight distance at all minor street intersections shall permit vehicles to be visible to the driver of another vehicle when each is 125 feet from the center of the intersection.

(Comp. Ords. 1987, § 17.142)

Sec. 34-147. Same-Number of streets.

No more than two streets shall cross at anyone intersection.

(Comp. Ords. 1987, § 17.143)

Sec. 34-148. Same-TT" types.

Except on arterials and certain collectors, "T" type intersections shall be used where practical.
(Comp. Ords. 1987, § 17.144)

Sec. 34-149. Same-Centerline offsets.

Slight jogs at intersections shall be avoided. Where such jogs are unavoidable, street centerlines shall be offset by a distance of 125 feet or more.
(Comp. Ords. 1987, § 17.145)

Sec. 34-150. Same-Vertical alignment.

A nearly flat grade with appropriate drainage slopes is desirable within intersections. This flat section shall be carried back 50 to 100 feet each way from the intersection. An allowance of two percent maximum intersection grade in rolling and four percent in hilly terrain will be permitted.
(Comp. Ords. 1987, § 17.146)

Sec. 34-151. Pedestrian ways-Crosswalks.

Rights-of-way for pedestrian crosswalks in the middle of long blocks shall be required where necessary to obtain convenient pedestrian circulation to schools, parks, or shopping areas. The right-of-way shall be at least ten feet wide and extend entirely through the block.
(Comp. Ords. 1987, § 17.151)

Sec. 34-152. Same-Sidewalks.

Sufficient right-of-way shall be provided so sidewalks may be installed on both sides of all streets; however, general minimum right-of-way requirements are sufficient to accommodate sidewalks and, further, this subsection is not to be construed to require sidewalks.
(Comp. Ords. 1987, § 17.152)

Cross reference-Streets, sidewalks and other public places, ch. 58.

Sec. 34-153. Easements-Location.

Easements shall be provided along lot lines for utilities and also along side lot lines when necessary. The total width shall not be less than six feet along each lot, or a total of 12 feet for adjoining lots. (See also section 34-163 for backup lots.)
(Comp. Ords. 1987, § 17.161)

Sec. 34-154. Same-Drainageway.

The subdivider shall provide drainageway easements as required by the rules of the county drain commissioner.
(Comp. Ords. 1987, § 17.162)

Sec. 34-155. Blocks-Arrangement.

A block shall be so designed as to provide two tiers of lots, except where lots back onto an arterial street, natural feature or subdivision boundary.

(Comp. Ords. 1987, § 17.171)

Sec. 34-156. Same-Minimum length.

Blocks shall not be less than 500 feet long.

(Comp. Ords. 1987, § 17.172)

Sec. 34-157. Same-Maximum length.

The maximum length allowed for residential blocks shall be 1,320 feet long from center of street to center of street.

(Comp. Ords. 1987, § 17.173)

Sec. 34-158. Lots-Conformance to zoning ordinance.

The lot width, depth, and area shall not be less than the particular district requirements of the zoning ordinance, except where outlots are provided for some permitted purpose.

(Comp. Ords. 1987, § 17.181)

Sec. 34-159. Same-Side lot lines.

Side lot lines shall be essentially at right angles to straight streets and radial to curved streets.

(Comp. Ords. 1987, § 17.182)

Sec. 34-160. Same-Width and depth.

Narrow deep lots shall be avoided. The depth of a lot generally shall not exceed 2 1/2 times the width as measured at the building line.

(Comp. Ords. 1987, § 17.183)

Sec. 34-161. Same-Corner.

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

(Comp. Ords. 1987, § 17.184)

Sec. 34-162. Same-Uninhabitable areas.

Lands subject to flooding or otherwise deemed by the planning commission to be uninhabitable shall not be platted for residential purposes or for uses that may, in the judgment of the planning commission,

increase the danger to health, life, or property, or increase the flood hazard. Such land within a subdivision shall be set aside for other uses, such as parks or other open space.

(Comp. Ords. 1987, § 17.185)

Sec. 34-163. Same-Backup.

Lots shall back into such features as freeways, arterial streets, shopping centers, or industrial properties, except where there is a marginal access street, unless a secondary access is provided. Such lots shall contain a landscaped easement along the rear at least 20 feet wide in addition to the utility easement to restrict access to the arterial street to minimize noise and to protect outdoor living areas. Lots extending through a block and having frontage on two local streets shall be prohibited.

(Comp. Ords. 1987, § 17.186)

Sec. 34-164. Same-Frontage.

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

(Comp. Ords. 1987, § 17.187)

Sec. 34-165. Same-Division of parcels; future lot arrangements.

Where parcels of land are subdivided into unusually large lots (such as when large lots are required for septic tank operations), the parcels shall be divided, where feasible, so as to allow for resubdividing into smaller parcels in a logical fashion. Lot arrangements shall allow for the ultimate extension of adjacent streets through the middle of wide blocks. Whenever such future resubdividing or lot splitting is contemplated, the plan for such shall be approved by the planning commission prior to the taking of such action.

(Comp. Ords. 1987, § 17.188)

Sec. 34-166. Same-Division.

The division of a lot in a recorded plat is prohibited, unless approved following application to the township planning commission. The application shall be filed with the township clerk and shall state the reasons for the proposed division. No lot in a recorded plat shall be divided into more than four parts and the resulting lots shall be not less in area than permitted by the township zoning ordinance. No building permit shall be issued, or any building construction commenced, until the division has been approved by the township planning commission and the suitability of the land for building sites has been approved by the county or district health department. The division of a lot resulting in a smaller area than prescribed in this section may be permitted, but only for the purpose of adding to the existing building site or sites. The application shall so state and shall be in affidavit form.

(Comp. Ords. 1987, § 17.189)

Sec. 34-167. Strips-Planting.

Planting strips may be required to be placed next to incompatible features, such as highways, railroads, commercial or industrial uses, to screen the view from residential properties. Such screens shall be a minimum of 20 feet wide, and shall not be a part of the normal roadway right-of-way or utility easement. (Comp. Ords. 1987, § 17.201)

Sec. 34-168. Same-Reserve.

(a) *Private.* Privately held reserve strips controlling access to streets shall be prohibited.

(b) *Public.* A one-foot reserve may be required to be placed at the end of stub or dead-end streets which terminate at subdivision boundaries and between half streets. These reserves shall be deeded in fee simple to the township for future street purposes. (Comp. Ords. 1987, § 17.202)

Sec. 34-169. Public sites and open spaces-Public uses.

Where a proposed park, playground, school or other public use shown on the comprehensive development plan is located in whole or in part within a subdivision, a suitable area for this purpose may be dedicated to the public or reserved for public purchase. If, within two years of plat recording, the purchase is not agreed on, the reservation may be cancelled or shall automatically cease to exist. (Comp. Ords. 1987, § 17.211)

Sec. 34-170. Same-Natural features.

Existing natural features which add value to residential development and enhance the attractiveness of the community, such as trees, watercourses, historic spots and similar irreplaceable assets, shall be preserved, insofar as possible, in the design of the subdivision. (Comp. Ords. 1987, § 17.212)

Sec. 34-171. Large scale developments-Modification.

This division may be modified in accordance with sections 34-256-34-258 in the case of a subdivision large enough to constitute a complete community or neighborhood, consistent with the township zoning ordinance in respect of planned unit development and the provisions of the zoning ordinance relative to open space subdivisions. (Comp. Ords. 1987, § 17.221)

Sec. 34-172. Same-Neighborhood characteristics.

A community or neighborhood under the provision of large scale developments shall generally be consistent with the comprehensive development plan and contain 500 living units or more; contain or be

bounded by major streets or natural physical barriers as necessary; and shall contain reserved areas of sufficient size to serve its population for schools, playgrounds, parks, and other public facilities. Such reserves may be dedicated.

(Comp. Ords. 1987, § 17.222)

Sec. 34-173. Open space subdivision.

An open space subdivision generally is intended to offer the proprietor an alternative method of developing land by providing for smaller lot sizes than required by the zoning ordinance for the provision of private or public open space.

(Comp. Ords. 1987, § 17.223)

Sec. 34-174. Modification for commercial and industrial developments.

These subdivision design standards may be modified -in accordance with sections 34-25634-258 in the case of subdivisions specifically designed for commercial or industrial development, including shopping districts, wholesaling areas, and planned industrial districts. In all cases, however, adequate provision shall be made for off-street parking and loading areas as well as for traffic circulation.

(Comp. Ords. 1987, § 17.231)

Secs. 34-175-34-200. Reserved.

DIVISION 4. IMPROVEMENTS

Sec. 34-201. Purpose.

It is the purpose of this division to establish and define the public improvements which will be required to be constructed by the subdivider as conditions for final plat approval, and also to outline the procedures and responsibilities of the subdivider and the various public officials and agencies concerned with the administration, planning design, construction, and financing of public facilities, and to further establish procedures for assuring compliance with these requirements.

(Comp. Ords. 1987, § 17.250)

Sec. 34-202. Construction plans.

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 section, specifications, and other supporting data, for the public streets, utilities, and other facilities required in this division. 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. Construction plans are subject to approval by the responsible public agencies shown.. All construction plans shall be prepared in accordance with their standards or specifications.

(Comp. Ords. 1987, § 17.260)

Sec. 34-203. Submittal procedure.

When construction has been completed at the time of filing the final plat, one complete copy of as-built engineering plans of each required public improvement shall be filed with the township clerk coincident with the filing of the final plat. Other requirements and procedures in the submittal of final plats shall be as provided in sections 34-109-34-111.

(Comp. Ords. 1987, § 17.271)

Sec. 34-204. Required public improvements-Subdivider to install.

Every subdivider shall be required to install the public and other improvements in accordance with the conditions and specifications set forth in sections 34-205-34-215.

(Cop.1p. Ords. 1987, § 17.280)

Sec. 34-205. Same-Monuments.

Monuments shall be set in accordance with the land division act and the rules of the state department of treasury. Final plats can be approved prior to placement of all lot irons and monuments, provided cash surety is posted with the township guaranteeing the placement of lot irons and monuments within one year of approval of the final plat. The amount of security to be posted will be in accordance with the fee schedule adopted by the township board.

(Comp. Ords. 1987, § 17.281)

Sec. 34-206. Same-Streets and alleys.

All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the county road commission and the township board, whichever is the more restrictive, but which in no case shall exceed engineering standards normally deemed adequate for climatic conditions unique to the county. (Comp. Ords. 1987, § 17.282)

Cross reference-Streets, sidewalks and other public places, ch. 58.

Sec. 34-207. Same-Curbs and gutters.

(a) Curbs and gutters shall be required on all neighborhood access streets and minor streets and shall be constructed in accordance with the standards and specifications adopted by the county road commission and the township board, whichever is the more restrictive, but which in no case shall exceed engineering standards normally deemed adequate for climatic conditions unique to the county.

(b) The township board may waive the requirement for curbs and gutters in those subdivisions where the average frontage of lots is 200 feet or greater and where the density of all lots in the subdivision is one dwelling unit per acre or less. In these subdivisions, culverts (at driveways) and drainage swales (sodded or other rip/rap material) will be permitted.

(Comp. Ords. 1987, § 17.283)

Sec. 34-208. Same-Installation of public utilities.

Public utilities and driveways shall be located in accordance with the rules of the township board. The underground work for utilities shall be stubbed to the property line.

(Comp. Ords. 1987, § 17.284)

Cross reference-Utilities, ch. 66.

Sec. 34-209. Same-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 area, except for major thoroughfare rights-of-way. 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, and commission and the approval of the township board at the time of final plat approval where it is determined that overhead lines will constitute a detriment to the health, safety, general welfare, plat design and character of the 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 state public service commission. All drainage and underground utility installations which traverse privately owned property shall be protected by easements granted by the proprietor.

(Comp. Ords. 1987, § 17.285)

Sec. 34-210. Same-Driveways.

All driveway openings in curbs shall be as specified by the county road commission or the department of state highways when these are contiguous to an arterial street or state highway.

(Comp. Ords. 1987, § 17.286)

Sec. 34-211. Same-Storm drainage.

(a) An adequate storm drainage system, including necessary storm sewers, drain inlets, manholes, culverts, bridges, and other appurtenances, shall be required in all subdivisions. The requirements for each particular subdivision shall be established by the county drain commissioner and the township board.

(b) Construction shall follow the specifications and procedures established by the county drain commissioner. All proposed storm drainage construction plans for proposed plats shall be approved by the county drain commissioner.

(Comp. Ords. 1987, § 17.287)

Cross reference-Utilities, ch. 66.

Sec. 34-212. Same-Water supply system.

(a) When a proposed subdivision is to be serviced by a public water supply system, fire hydrants and other required water system appurtenances shall be provided by the subdivider in accordance with the requirements of the township board.

(b) If there is no existing or accessible public water supply system, the subdivider may be required to install a water supply system for the common use of the lots within the subdivision in accordance with the requirements of part 127 of Public Act No. 368 of 1978 (MCL 333.12701 et seq.). When such a system is established, the proprietor shall provide assurances for perpetual operation and maintenance to the satisfaction of the township board. The proprietor or his assigns may offer the system to the township, who may or may not deem to accept the system for operation and maintenance.

(c) Individual wells may be permitted in accordance with the requirements of the county health department.

(Comp. Ords. 1987, § 17.288)

Cross reference-Utilities, ch. 66.

Sec. 34-213. Same-Sanitary sewer system.

(a) When a proposed subdivision is to be serviced by a public sanitary sewer system, sanitary sewers and other required appurtenances thereto shall be provided by the subdivider in accordance with the requirements of the township board. Sewer systems shall comply with the requirements of part 127 of Public Act No. 368 of 1978 (MCL 333.12701 et seq.).

(b) If there is no existing or accessible public sewer system, a sewer system for the common use of the lot owners may be required to be provided by the subdivider if feasible, in the judgment of the planning commission, with the advice of the township engineer and county (or district) health department, and shall comply with the requirements of part 127 of Public Act No. 368 of 1978 (MCL 333.12701 et seq.). When such a system is established, the proprietor shall provide assurances for perpetual operation and maintenance to the satisfaction of the township board. The proprietor or his assigns may offer a system to the township, who may or may not deem to accept the system for operation and maintenance.

(c) Where it is determined, in the judgment of the planning commission, with the advice of the township engineer and the county health department, that a subdivision cannot be economically connected with an existing public sewer system or that a public sewer system cannot be provided for the subdivision itself, then approved septic tanks and disposal fields may be approved which shall comply with the requirements of the county health department. However, where studies by the township planning commission or the township engineer indicate that construction or extension of sanitary trunk sewers to serve the property being subdivided appears probable within a reasonably short time (up to three years), sanitary sewer mains and house connections shall be installed and capped.

(Comp. Ords. 1987, § 17.289)

Cross reference-Utilities, ch. 66.

Sec. 34-214. Same-Street name signs.

Street name signs are to be provided in the manner prescribed by the county road commission.

(Comp. Ords. 1987, § 17.290)

Sec. 34-215. Same-Sidewalks and crosswalks.

(a) Sidewalks shall be required on both sides of the street. Where the average width of lots, as measured at the street frontage line or at the building setback line, is over 100 feet, sidewalks on one side may be required by the township, or the township may choose to waive the requirements entirely.

(b) Crosswalks, when required by the township, shall have easements at least ten feet in width and include a paved walk at least five feet in width, adequately fenced and lighted and located generally along the centerline of the easement, dedicated as a public pedestrian walkway.

(c) Sidewalks and crosswalks shall be constructed in accordance with the requirements of the township board.

(Comp. Ords. 1987, § 17.291)

Sec. 34-216. Optional public improvements-Recreational.

Where a school site, neighborhood park, recreation area, or public access to water frontage, as previously delineated or specified by official action of the planning commission, is located in whole or part in the proposed subdivision, the township board may request the reservation of such open space for school, park and recreation or public access purposes. All such areas shall either be reserved for the respective school district, in the case of school sites, or for the township in all other cases; however, voluntary dedication of these land areas will be accepted.

(Comp. Ords. 1987, § 17.301)

Sec. 34-217. Same-Greenbelts.

It is desirable for the protection of residential properties to have greenbelts or landscaped screen plantings located between a residential development and adjacent major arterial streets and railroad rights-of-way. Where a subdivider desires to protect his development in this respect, a proposed subdivision plat shall show the location of such greenbelts and provide for their maintenance pursuant to section 34-220.

(Comp. Ords. 1987, § 17.302)

Sec. 34-218. Same-Street trees.

(a) Street trees of a variety and size in accordance with the standards adopted by the township board may be required between the street curb and sidewalk.

(b) Generally, the township board will provide that a tree be planted in front of each lot and should a tree not be in place prior to platting each lot, then provisions for planting additional trees on those lots without trees may be required.

(Comp. Ords. 1987, § 17.303)

Sec. 34-219. Same-Street lighting.

Streetlights may be required to be installed at intersections only throughout the subdivision. In these cases, a subdivider shall conform to the requirements of the township and the public utility providing such lighting.

(Comp. Ords. 1987, § 17.304)

Sec. 34-220. Same-Guarantees to maintain greenbelts and decorative entranceways.

Where the proprietor/subdivider elects to provide greenbelts and/or constructs decorative or other improved entranceways, financial or other guarantees shall be made to the township board to ensure continued upkeep and maintenance of all improvements. Such guarantees may consist of a deed restriction or covenant which requires all future purchasers of lots in the plat to belong to a homeowners' association and to pay an annual fee adequate to maintain and upkeep the improvements to their original condition. Failure to provide adequate funds to accomplish this to the satisfaction of the township board shall empower the township to carry out the improvements and upkeep and to make such assessments as are required to pay the costs incurred to the township against the owners of the lots contained within the plat.

(Comp. Ords. 1987, § 17.305)

Sec. 34-221. Completion-Financial guarantee arrangements, exceptions.

In lieu of the actual installation of required public improvements, the township board, on recommendation of the planning commission, may permit the subdivider to provide a financial guarantee of performance in one or a combination of the following arrangements for those requirements which are over and beyond the requirements of the county road commission, county drain commissioner, or any other agency responsible for the administration, operation, and maintenance of the applicable public improvement. In case these improvements are specified, completion shall be required prior to the issuance of occupancy permits.

(1) *Performance or surety bond.*

- a. *Accrual.* The bond shall accrue to the township, covering construction, operation, and maintenance of the specific public improvement.
- b. *Amount.* The bond shall be in an amount equal to the total estimated cost for completing construction of the specific public improvement, including contingencies, as estimated by the township board.
- c. *Term length.* The term length in which the bond is in force shall be for a period to be specified by the township board for the specific public improvement.
- d. *Surety company.* The bond shall be with a surety company authorized to do business in the state, acceptable to the township board.
- e. *Escrow agreement.* The escrow agreement shall be drawn and furnished by the township board.

(2) Cash deposit, certified check, negotiable bond, or irrevocable bank letter of credit.

- a. *Treasurer, escrow agent or trust company.* A cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit, such surety acceptable by the township board, shall accrue to the township. These deposits shall be made with the township treasurer, or deposited with a responsible escrow agent, or trust company, subject to the approval of the township board.
- b. *Dollar value.* The dollar value of the cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit shall be equal to the total estimated cost of construction of the specific public improvement, including contingencies, as estimated by the township board.
- c. *Escrow time.* The escrow time for the cash deposit, certified check, negotiable bond, or irrevocable bank letter of credit shall be for a period to be specified by the township board.
- d. *Progressive payment.* In the case of cash deposits or certified checks, an agreement between the township and the subdivider may provide for progressive payment out of the cash deposit or reduction of the certified check, negotiable bond, or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvement, in accordance with a previously entered-into agreement.

(Comp. Ords. 1987, § 17.311)

Sec. 34-222. Same-Conditional approval with respect to financial guarantees.

With respect to financial guarantees, the approval of all final subdivision plats shall be conditioned on the accomplishment of one of the following:

- (1) The construction of improvements required by this division shall have been completed by the subdivider and approved by the township board.
- (2) Surety acceptable to the township shall have been filed in the form of a cash deposit, certified check, negotiable bond, irrevocable bank letter of credit, or surety bond.

(Comp. Ords. 1987, § 17.312)

Sec. 34-223. Same-Special agreement for street trees and lights.

A special agreement shall be entered into between the subdivider and the township board where street trees and streetlights have been required by the township board.

(Comp. Ords. 1987, § 17.313)

Sec. 34-224. Same-Inspection of construction.

Before approving a final plat and construction plans and specifications for public improvements, an agreement between the subdivider and the township board shall be made to provide for checking or inspecting the construction and its conformity to the submitted plans, except for those improvements that fall within the jurisdiction of the county road commission.

(Comp. Ords. 1987, § 17.314)

Sec. 34-225. Same-Failure to complete.

If the subdivider shall, in any case, fail to complete such work within such period of time as required by the conditions of the guarantee for the completion of public improvements, it shall be the responsibility of the township board to proceed to have such work completed. In order to accomplish this, the township board shall reimburse itself for the cost and expense thereof by appropriating the cash deposit, certified check, irrevocable bank letter of credit, or negotiable bond 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 or surety company, and as included in a written agreement between the township board and the subdivider.

(Comp. Ords. 1987, § 17.315)

Sec. 34-226. Same-Temporary improvements.

The applicant shall build and pay for all costs of temporary improvements required by the township board and shall maintain such improvements for the period specified by the township board. Prior to construction of any temporary facility or improvement, the developer shall file with the township board a separate suitable bond for temporary facilities, which bond shall ensure that the temporary facilities will be properly constructed, maintained, and removed.

(Comp. Ords. 1987, § 17.316)

Sec. 34-227. Same-Acceptance of dedication offers.

Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by ordinance of the township board. The approval by the planning commission of a subdivision plat shall not be deemed to constitute or imply the acceptance by the local government of any street, easement, or park shown on such plat. The planning commission may require such plat to be endorsed with appropriate notes to this effect.

(Comp. Ords. 1987, § 17.317)

Sec. 34-228. Same-Conditions for dedication acceptance, release or reduction of performance bond.

(a) *Certificate of satisfactory completion.* The township board will not accept dedication of required improvements nor release nor reduce a performance bond, until the township engineer has submitted a certificate stating that all required improvements have been; satisfactorily completed and until the applicant's engineer or surveyor has certified to the township engineer, through submission of a detailed as-built survey plat of the subdivision, indicating location, dimensions, materials, and other information required by the planning commission or township engineer, that the layout of the line and grade of all public improvements is in accordance with construction plans for the subdivision and that a title insurance policy has been furnished to and approved by the township attorney indicating that the improvements shall have been completed, are ready for dedication to the local government, and are free and clear of any

and all liens and encumbrances. Upon such approval and recommendation, the township board shall thereafter accept the improvements for dedication in accordance with the established procedure.

(b) *Reduction of performance bond.* A performance bond shall be reduced upon actual dedication of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the plat. In no event shall a performance bond be reduced below 25 percent of the principal amount.

(Comp. Ords. 1987, § 17.318)

Sec. 34-229. Same-Maintenance.

(a) The applicant shall be required to maintain all improvements on the individual subdivided lots and provide for snow removal on streets and sidewalks, if required, until acceptance of such improvements by the township board. If there are any certificates of occupancy on a street not dedicated to the township, the township may, on 12 hours' notice, plow the street or effect emergency repairs and charge the same to applicant.

(b) The applicant shall be required to file a maintenance bond with the township board, prior to dedication, in an amount considered adequate by the township engineer and in a form satisfactory to the township attorney, in order to ensure the satisfactory condition of the required improvements, including all lot improvements on the individual subdivided lots, for a period of one year after the date of their acceptance by the township board and dedication of the improvements to the township.

(Comp. Ords. 1987, § 17.319)

Sees. 34-230-34-255. Reserved.

DIVISION 5. VARIANCES

Sec. 34-256. Findings by planning commission.

(a) The township planning commission may recommend to the township board a variance from the provisions of this article on a finding that undue hardship may result from strict compliance with specific provisions or requirements of the article or that application of such provision or requirement is impracticable. The planning commission shall only recommend variances that it deems necessary to or desirable for the public interest. In making its findings, as required in this section, the planning commission shall take into account the nature of the proposed use of land and 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 upon traffic conditions in the vicinity. No variance shall be recommended unless the planning commission finds, after a public hearing, that:

- (1) There are such special circumstances or conditions affecting such property that the strict application of the provisions of this article would clearly be impracticable or unreasonable. In such

cases, the subdivider shall first state his reasons in writing as to the specific provision or requirement involved and submit them to the planning commission.

- (2) The granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area in which such property is situated.
- (3) Such variance will not violate the provisions of the land division act.
- (4) Such variance will not have the effect of nullifying the interest and purpose of this article and the comprehensive development plan of this township.

(b) The planning commission shall include its findings and the specific reasons therefor in its report of recommendations to the township board and shall also record its reasons and actions in its minutes.
(Comp. Ords. 1987, § 17.340)

Sec. 34-257. Topographical, physical limitations.

Where, in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this article would result in extraordinary hardship to the subdivider because of unusual topography, other physical conditions, or other such conditions which are not self-inflicted, or that these conditions would result in inhibiting the achievement of the objectives of this article, the planning commission may recommend to the township board that variance modification or a waiver of these requirements be granted, pursuant to the township zoning ordinance providing for an open space subdivision development.

(Comp. Ords. 1987, § 17.350)

Sec. 34-258. Planned unit developments.

The developer may request a variance from specified portions of this article in the case of a planned unit development. If, in the judgment of the planning commission, such a plan provides adequate public spaces and includes provisions for efficient circulation, light and air, and other needs, the planning commission shall make findings as required in this section. The planning commission shall take into account the nature of the proposed use of land and 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 upon traffic conditions in the vicinity. The planning commission shall report to the township board whether the proposed project will constitute a desirable and stable community development and be in harmony with adjacent areas.

(Comp. Ords. 1987, § 17.360)

Secs. 34-259-34-290. Reserved.

ARTICLE IV. REAR LOT DRAINAGE FOR SUBDIVISIONS AND CONDOMINIUMS**Sec. 34-291. Purpose and intent.**

The township board hereby recognizes that the construction of new subdivisions and condominiums significantly alters the natural drainage pattern of land; therefore, to minimize any potential harm or damage from inadequate drainage, all newly constructed plats and condominiums must provide rear lot drainage in accordance with the Township Standard Specifications and Details. Further, such provisions shall be shown on the preliminary plat (for subdivisions) or site plan (for condominiums), and submitted to the township for review and approval. Any fees for such review shall be established separately by the township board.

(Ord. No. 95-02, § 1, 5-23-1995)

Sec. 34-292. Standards and Requirements

(1) It shall be the responsibility of the developer to construct the rear lot drainage system at 100 percent his cost prior to final plat or site plan approval. The proprietor and engineer of the plat or condominium shall certify that the rear lot drainage system has been installed in accordance with the proposed plan and specifications prior to final plat approval.

(Ord. No. 95-02, § 2, 5-23-1995)

Chapters 35-37

RESERVED