

TITLE FOUR – Subdivision Regulations

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CHAPTER 1240

General Provisions and Definitions

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CROSS REFERENCES

- Approval of plats; street system - see M.C.L.A. Sec. 125.43
- Regulations governing subdivision of land; bond to secure improvement; publication of regulations - see M.C.L.A. Sec. 125.44
- Approval or disapproval of plats; procedure; effect - see M.C.L.A. Sec. 125.45
- Certification of city plats - see M.C.L.A. Secs. 125.51 et seq.
- Planning Commission - see P. & Z. Ch. 1220

1240.01 SHORT TITLE.

This Title Four of Part Twelve of these Codified Ordinances shall be known and may be cited as the "City of Litchfield Subdivision Ordinance" and shall be referred to throughout this Title Four of Part Twelve of these Codified Ordinances as the "Subdivision Regulations" or just "these Regulations." (Ord. 1980-2. Passed 5-12-80.)

1240.02 SCOPE.

These Subdivision Regulations shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of these Subdivision Regulations, except for further dividing of existing lots, nor is it intended by these Subdivision Regulations to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws, ordinances or regulations, or with private restrictions placed upon property by deed, covenant, or other private agreements, or with restrictive covenants running with the land to which the City of Litchfield is a party. Where these Subdivision Regulations impose a greater restriction upon land than is imposed or required by existing provisions of any other ordinance of the City of Litchfield, the provisions of these Subdivision Regulations shall control. (Ord. 1980-2. Passed 5-12-80.)

1240.03 DEFINITIONS.

For the purpose of these Subdivision Regulations, certain rules of construction apply to the text: words used in the present tense include the future tense and the singular includes the plural, unless the context clearly indicates the contrary; the term "shall" is always mandatory and not merely discretionary and the word "may" is permissive; words or terms not interpreted or defined by these Subdivision Regulations shall be used with a meaning of common or standard utilization. The following definitions shall apply in the interpretation and enforcement of these Subdivision Regulations unless otherwise stated.

- (1) ALLEY: A block or private right-of-way shown on a plat which provides secondary access to a lot, block, or parcel of land.
- (2) AS-BUILT PLANS: Revised construction plans in accordance with all approved field changes.
- (3) BLOCK: An area of land that is entirely bounded by streets or highways, except alleys, or a combination of streets or highways and railroad rights-of-way, unsubdivided acreage, bulkhead lines or shorelines, public parks, cemeteries, or the corporate boundary lines of any village, city, or township.
- (4) BUILDING LINE OR SETBACK LINE: A line parallel to a street right-of-way line, lakeshore, or river-bank, established for the purpose of prohibiting construction of a building between such line and a right-of-way, other public area or lakeshore or riverbank.
- (5) CLUSTER DEVELOPMENT: A subdivision in which houses are grouped together in several modules, each one visually identifiable as an individual group, and the remainder of the subdivision being undeveloped and reserved for the common enjoyment of the residents of the subdivision as open space or a recreation area.
- (6) COMMERCIAL DEVELOPMENT: A planned commercial center providing building areas, parking areas, service areas, screen planting, and turning movement and safety lane roadway improvements, where necessary.
- (7) COMPREHENSIVE DEVELOPMENT PLAN: A comprehensive land use plan for the City of Litchfield which, through any combination of text, charts, and maps, sets forth proposals for general locations of the various land uses, streets and highways, parks, schools, public buildings, and all physical development of the City of Litchfield, to achieve an orderly, coordinated, and efficient pattern of development. This plan includes any unit or part of such plan separately adopted, and any amendments to such plan or parts thereof adopted by the governing body of the City of Litchfield.
- (8) COUNTY DRAIN COMMISSIONER: The Hillsdale County Drain Commissioner.
- (9) COUNTY HEALTH DEPARTMENT: The Hillsdale County Health Department.

- (10) COUNTY PLAT BOARD: The Hillsdale County Plat Board.
- (11) COUNTY ROAD COMMISSIONER: The Hillsdale County Road Commissioner.
- (12) DEDICATION: The intentional appropriation of land by the owner to public use.
- (13) DEVELOPMENT: Any subdivision of land as herein defined or any material change in the use or appearance of any parcel of land subject to the provisions of these Subdivision Regulations, or the act of building structures and installing site improvements.
- (14) ENVIRONMENTAL IMPACT STATEMENT: To be obtained from the Department of Natural Resources.
- (15) FILING DATE: The date of the Planning Commission meeting at which the Planning Commission receives a completed application from the Clerk.
- (16) FLOOD PLAIN: That area of land adjoining the channel of a river, stream, watercourse, lake or other similar body of water which will be inundated by a flood that can reasonably be expected for that region.
- (17) GOVERNING BODY: The Litchfield City Council.
- (18) GREENBELTS OR BUFFERS: A strip or parcel of land, privately restricted or publicly dedicated as open space, located between incompatible uses for the purpose of protecting and enhancing the environment of the subdivision.
- (19) IMPROVEMENTS: Any structure incident to servicing or furnishing facilities for a subdivision, such as grading, street surfacing, curbs and gutters, driveway approaches, sidewalks, pedestrian ways, water mains and lines, sanitary sewers, storm sewers, culverts, bridges, utilities, lagoons, slips, waterways, lakes, bays, canals, and other appropriate items, with appurtenant construction.
- (20) INDUSTRIAL DEVELOPMENT: A planned industrial area designed specifically for industrial use providing screened buffers, wider streets, and turning movement and safety lane roadway improvements, where necessary.
- (21) LOT: A measured portion of a parcel or tract of land, which is described and filed in a recorded plat.
 - A. Lot Area: The total area within the lot lines of the lot.
 - B. Lot Depth: The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.
 - C. Lot Width: The horizontal distance between the side lot lines measured at the setback line and at right angles to the lot depth.
 - D. Lot Coverage: That part or percent of the lot occupied by buildings or structures including accessory buildings or structures.
- (22) OUTLOT: When included within the boundary of a recorded plat, a lot set aside for purposes other than a building site, park, or other land dedicated to public use or reserved for private use.

- (23) PARCEL OR TRACT: A piece or area of land in single or joint ownership.
- (24) PEDESTRIAN WAY: A separate right-of-way dedicated to or reserved for public use, which crosses blocks or other tracts of land for the purpose of facilitating pedestrian access to adjacent streets and properties.
- (25) PLANNED UNIT DEVELOPMENT: A large-scale development to be constructed, usually in stages, involving a related group of residences and associated uses, planned as an entity and which can be planned, developed, and regulated as one land use unit, rather than as an aggregation of individual buildings on separate lots.
- (26) PLANNING COMMISSION: The Planning Commission of the City of Litchfield as established under Act 168, Public Acts of 1959, as amended.
- (27) PLAT: A map or chart of a subdivision of land showing the lot and street arrangement and other features of the area being subdivided.
- A. Pre-Preliminary Plat: An informal plan or sketch drawn to scale and in sufficient detail to show existing features of a site and its surroundings and the general layout of a proposed subdivision.
- B. Preliminary Plat: A map showing the salient features of a proposed subdivision of land submitted to an approving authority for purposes of preliminary consideration.
- C. Final Plat: A map of a subdivision of land made up in final form for approval and recording.
- (28) PROPRIETOR: Any person, firm, association, partnership, corporation, or government agency, or a combination of any of them, undertaking any development of land, whether recorded or not, as defined in these Subdivision Regulations. The proprietor is also commonly referred to as a subdivider, developer, or owner.
- (29) PUBLIC UTILITY: All persons, firms, corporations, co-partnerships, or municipal or other public authorities providing gas, electricity, water, steam, telephone, telegraph, storm sewers, sanitary sewers, transportation, or other services of a similar nature.
- (30) REPLAT: The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of an outlot within a recorded subdivision plat without changing the exterior boundaries of the outlot is not a replat.
- (31) RIGHT-OF-WAY: Land reserved, used, or to be used for a street, alley, walkway, or other public purpose.
- (32) SIDEWALK: A facility, placed within the right-of-way of existing streets, or a facility connecting with buildings, parking lots, or other activities, having access to the street right-of-way for the purpose of providing safe and convenient movement of pedestrians.

- (33) **STREET**: A public or private right-of-way which provides for vehicular and pedestrian access to abutting properties.
- A. **Major**: Those streets of considerable continuity having the primary functions of accommodating relatively large volumes of vehicular traffic generation and designated as an arterial street in the Comprehensive Development Plan.
 - B. **Collector**: Those streets used to collect and distribute traffic between minor and arterial streets, including principal entrance streets to large residential and nonresidential developments.
 - C. **Local**: Those streets having a primary function of providing service and access to abutting land uses and not designed for high volumes of traffic.
 - D. **Cul-de-sac**: A local street of short length, having one end terminated by a vehicular turn-a-round.
 - E. **Street Width**: The shortest distance between those lines delineating the right-of-way streets.
- (34) **STRUCTURE**: Any object constructed, erected, or placed with a fixed location on the surface of the ground or affixed to something having a fixed location on the surface of the ground.
- (35) **SUBDIVIDE OR SUBDIVISION**: The division 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 the sale or lease of more than one year, or of building development, where the act of subdivision creates five or more parcels of land, each of which is ten acres or less in area; or five or more parcels of land, each of which is ten acres or less in area as created by successive division within a period of ten years.
- (36) **SUBDIVISION CONTROL ACT**: Act 288 of the Public Acts of 1967, as amended.
- (37) **SURVEYOR**: Either a land surveyor who is registered in the State or a registered land surveyor or civil engineer who is registered in the State as a registered professional engineer.
- (38) **TOPOGRAPHICAL MAP**: A map showing existing physical characteristics, with contour lines at sufficient intervals to permit determination of proposed grades and drainage.
- (39) **WATER RESOURCES COMMISSION**: The Water Resources Commission of the Michigan Department of Conservation, of the Department of Natural Resources.
(Ord. 1980-2. Passed 5-12-80.)