

CHAPTER 1246
Design Standards

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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

1246.01 MINIMUM STANDARDS; WAIVER.

In considering applications for subdivision of land, the Planning Commission and the governing body shall be guided by the design standards set forth in this chapter. These standards shall be considered to be minimum requirements; where plans adopted by the Planning Commission and for the governing body require higher standards, these latter standards shall apply. Waivers in standards shall be granted only under circumstances set forth in Sections 1242.05 et seq.
(Ord. 1980-2. Passed 5-12-80.)

1246.02 STREETS GENERALLY.

The specifications contained in these Subdivision Regulations are the standards for all highways, streets, and alleys which might hereafter be platted or accepted within the City of Litchfield.
(Ord. 1980-2. Passed 5-12-80.)

1246.03 STREET LAYOUT.

(a) Streets shall be of sufficient width, suitable location, and adequate construction to conform to the adopted Comprehensive Development Plan or the portion thereof relating to streets and traffic. The arrangement of streets in the subdivision shall provide for the continuation of streets in adjacent subdivisions where such extensions are deemed desirable by the Planning Commission and the Road Commission, and where such extension is not precluded by topographic or other existing conditions. The layout shall provide for proper projection of principal streets into adjoining properties not yet subdivided.

(b) All such streets shall have a width at least as great as the street being extended.

(c) Residential streets shall be laid out so as to discourage their use by through traffic.

(d) Streets shall be arranged in proper relation to topography to create usable lots, safe streets, and reasonable grades, both for the streets and for driveways which intersect therewith.

(e) The street layout shall not isolate lands from existing public streets or roads, unless suitable access is provided, and such access shall be granted by easement or dedicated to public use. Such access shall be constructed to standards required by the County Engineer.

(f) Opposing streets shall be in direct alignment at the point of intersection. Where offsets cannot be avoided, a minimum distance of 125 feet shall be established between centerlines of the intersecting streets.

(g) Where outlots are required to provide future connections when adjacent areas are platted, such outlots shall be indicated on the plat and designated "future road". Each such outlot shall be sixty-six feet wide and a right-of-way instrument for road purposes shall be executed and filed with the Hillsdale County Road Commission at the time of plat approval.

(h) Intersections of local roads with collector and arterial roads shall be reduced to a reasonable minimum, but shall, in general, be at least 500 feet apart, centerline to centerline, to preserve the traffic-carrying capacity of the collector and arterial roads and to reduce the potential of accidents at such intersections. In general, all streets shall intersect each other so that, for a distance of at least 100 feet, the street is approximately at right angles to the street it joins. In no case shall an intersection form an angle of less than eighty degrees. No more than two streets shall cross at one intersection.

(i) All street construction shall be centered on the street right-of-way. Section line and quarter line and quarter line roads shall be centered on these lines unless the City of Litchfield Engineer approves an exception.

(Ord. 1980-2. Passed 5-12-80.)

1246.04 DRAINAGE FACILITIES.

All streets and alleys shall be provided with facilities for adequate surface drainage. This may be accomplished by the use of ditches, County drains, natural water courses, or constructed tributaries thereto. It is strongly recommended that this be done with underground storm drains. In the urban area of Hillsdale County, as defined by the County Road Commission, the storm drain shall be underground and only curb-type design shall be permitted. Exceptions will be made for subdivisions in which each single-family dwelling lot is one acre or larger in area and has a minimum frontage of 150 feet, in which case a thirty-foot wide pavement section with open ditches will be permitted.

(Ord. 1980-2. Passed 5-12-80.)

1246.05 HALF STREETS.

Half streets shall generally be prohibited, except where unusual circumstances make them essential to the reasonable development of a tract in conformance with these Subdivision Regulations. (Ord. 1980-2. Passed 5-12-80.)

1246.06 CUL-DE-SACS.

Cul-de-sac streets shall not be more than 600 feet in length (1000 feet in subdivisions of one acre lots or larger), except where unusual circumstances make them essential to the reasonable development of a tract in conformance with these Subdivision Regulations.

Exceptions may be made where topographic or other unusual existing conditions would so require. Each cul-de-sac shall terminate with an adequate turn-around of a minimum external diameter of 150 feet.

(Ord. 1980-2. Passed 5-12-80.)

1246.07 ALLEYS.

Alleys shall be prohibited, except in commercial and industrial areas. Where alleys are provided, they shall be at least thirty feet wide. Alleys shall be provided in accordance with standards of the City of Litchfield.

(Ord. 1980-2. Passed 5-12-80.)

1246.08 PRIVATE STREETS.

Private streets are prohibited. (Ord. 1980-2. Passed 5-12-80.)

1246.09 MARGINAL ACCESS STREETS.

Where marginal access streets are required, the proprietor shall dedicate property for the purpose of a marginal access street to the governing body or the Road Commission and shall be responsible for improving and maintaining said marginal access streets. A landscaped strip at least ten feet wide shall be provided between the marginal access street and the adjacent, parallel road. (Ord. 1980-2. Passed 5-12-80.)

1246.10 OTHER REQUIRED STREETS.

Where a subdivision borders or contains a railroad right-of-way or limited access highway right-of-way, the Planning Commission may require a street approximately parallel to and on one or both sides of such right-of-way, at a distance suitable for the appropriate use of the intervening land (as for park purposes in residential areas, or for commercial or industrial purposes in appropriate districts). Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

(Ord. 1980-2. Passed 5-12-80.)

1246.11 SPECIAL TREATMENT ALONG MAJOR STREETS.

When a subdivision abuts or contains an existing or proposed arterial or collector street, the Planning Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, or such other treatment as might be necessary for adequate protection of residential properties to afford separation of through and local traffic and to retain the traffic-carrying capacity of the arterial streets. (Ord. 1980-2. Passed 5-12-80.)

1246.12 STREET NAMES; HOUSE NUMBERS.

Street names shall not duplicate names of any existing street in Hillsdale County, 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. Duplication shall be avoided by checking new street names with the master listing of the Hillsdale County Road Commission. Street house numbers shall be assigned by Consumers Power Company. Generally, no street should change direction by more than ninety degrees without a change in street name. In general, streets shall have names and not numbers or letters.

(Ord. 1980-2. Passed 5-12-80.)

1246.13 LOCATION OF UTILITIES.

Utilities shall be located so as to best conform to the layout of existing facilities. In streets where no pattern has been established, utilities shall be located in conformance with the standards of the City of Litchfield.

(Ord. 1980-2. Passed 5-12-80.)

1246.14 STREET STANDARDS AND SPECIFICATIONS.

Streets and roads shall be provided in accordance with the street and road standards and specifications adopted by the Hillsdale County Road Commission and the Michigan State Highway Department.

<u>TYPE OF STREET</u>	<u>ROW WIDTH</u>
<u>ARTERIAL</u>	
Boulevards	35' + MED.
One-Way Streets	66'
<u>COLLECTOR</u>	
Collector Streets	66'
Local Roads	66'
<u>LOCAL</u>	
Local Streets	66'
Local Streets in Industrial Subdivisions	66'

(Ord. 1980-2. Passed 5-12-80.)

1246.15 LENGTH AND WIDTH OF BLOCKS; CONFORMITY OF BLOCKS TO ZONING REQUIREMENTS.

(a) Blocks generally shall be greater than 500 feet and less than 1320 feet in length, as measured from centerlines of streets. No block width shall be less than twice the normal lot depth, except where the lots back into a major street, natural or subdivision boundary.

(b) In blocks exceeding 800 feet in length, the Planning Commission may require the reservation of a twenty-foot wide easement through the block to provide for the crossing of underground utilities and/or pedestrian traffic where needed or desirable, and may specify further, at its discretion, a four-foot wide paved footpath be provided by the proprietor.

(c) Blocks intended for non-residential purposes shall be especially designed for such purposes, and in accordance with the Zoning Code. In such cases, the above dimensions do not apply.

(Ord. 1980-2. Passed 5-12-80.)

1246.16 LOT DIMENSIONS.

Lots shall conform to the requirements of local zoning ordinances in terms of width, depth, and area, except for outlots that are provided for a designated and approved purpose. The depth of a lot should not be less than one and one-half, nor more than three times, the width as measured at the building line.

In areas not served by a public sewer and water system, the minimum area shall be one acre and the minimum road frontage 150 feet.

(Ord. 1980-2. Passed 5-12-80.)

1246.17 CORNER LOTS.

Corner lots shall have extra width to permit appropriate building setbacks from both streets. If the Zoning Code does not require a greater width, these Subdivision Regulations shall control, in which case the corner lot should be ten to twenty percent wider than minimum interior lots. Lots abutting a pedestrian mid-block crosswalk shall be treated as corner lots unless the width of the crosswalk right-of-way is not less than one-third of the width of the street right-of-way that the crosswalk intersects.

(Ord. 1980-2. Passed 5-12-80.)

1246.18 LAYOUT OF LOTS.

Lots shall not open or face directly onto a freeway right-of-way, an arterial street or other heavily traveled street, shopping centers, or other large non-residential areas. In such situations, lots shall be laid out in one of the following ways:

- (a) Lots can back onto the above features, but shall be separated therefrom by a permanent fence or wall and a twenty-foot wide landscaped strip along the rear property line. The twenty-foot wide strip shall not be considered part of the lot's minimum length or area. The landscaping shall be such as to create a screen to insure the privacy of each lot.
- (b) Lots may face onto a marginal access street. Such a street shall be separated from the right-of-way of the main street or the edge of the non-residential area by a landscaped median strip not less than twenty feet wide. The median may be dedicated to the governing body or other appropriate public agency.

- (c) Lots may be faced onto intersecting streets with driveways opening onto the intersecting streets. These corner lots which abut the major street right-of-way or the non-residential area shall each have the fence or wall and twenty-foot wide landscape strip as required in subsection (a) hereof.
- (d) Lots may be grouped around short cul-de-sac or loop streets which open onto the major street. In such situations, the corner lots abutting the major street right-of-way shall each contain the fence or wall and landscaped strip required in subsections (a) and (c) hereof.
- (e) The layout of lots, whichever method is used, is intended to restrict the number of access points to the major streets and thereby reduce the number of traffic hazard points and preserve the traffic-carrying capacity of the major streets and to protect each lot's privacy and its freedom from noise and litter. Any landscaped strip required above shall not be part of the normal road right-of-way or utility easement.
(Ord. 1980-2. Passed 5-12-80.)

1246.19 LOT FRONTAGE.

- (a) Lots extending through a block shall be prohibited. Except for corner lots, no lot shall front on two streets.
- (b) All lots shall abut, by their full frontage, on a dedicated public street. Variances to this provision may be permitted in approved unit developments.
- (c) The portion of a lot bordering on a lake, stream, open area, or similar amenity may be designated as the front, provided that a setback can be obtained on the street side equal to the setback provided for the front. In no case, however, shall either setback be less than the front setback required in the Zoning Code.
(Ord. 1980-2. Passed 5-12-80.)

1246.20 FUTURE RESUBDIVIDING OR LOT SPLITTING.

Where a tract is to be subdivided into lots substantially larger than the minimum size required in the Zoning Code, or when the tract is in an area which the Planning Commission can reasonably expect to be served with public sewer and water system in the future, but which, at the time of subdividing, does not have sewer services available, the Planning Commission may require that streets and lots be laid out so as to permit future resubdivision in a logical manner and in accordance with provisions of these Subdivision Regulations. Lot arrangements shall allow for the ultimate extension of adjacent streets through blocks or the splitting of lots into smaller lots. Whenever such future resubdividing or lot splitting is contemplated, the plan thereof shall be approved by the Planning Commission before divisions of lots may be made.
(Ord. 1980-2. Passed 5-12-80.)

1246.21 UNINHABITABLE AREAS.

Land subject to flooding or otherwise deemed uninhabitable in its natural state shall not be platted for residential use, or for any other use that might create danger to health, life or property, or which might increase the flood hazard within or outside the subdivision. Such land shall be retained in its natural state as open space. Such lands may be platted, however, if the features making the lands uninhabitable can reasonably be removed without destruction to adjacent or nearby property or natural features and, if approval is obtained from the various agencies involved in the review process according to these Subdivision Regulations and the Subdivision Control Act (Act 288 of the Public Acts of 1967, as amended).
(Ord. 1980-2. Passed 5-12-80.)

1246.22 ANGLE OF SIDE LOT LINES TO STREETS.

(a) Side lot lines shall generally be perpendicular to the right-of-way lines of curved streets. All side and rear lot lines should be straight lines unless natural features or street curvature so prevent.

(b) Variations in these provisions may be made when in the opinion of the Planning Commission, such variation would result in a better arrangement of lots.
(Ord. 1980-2. Passed 5-12-80.)

1246.23 LOTS TO BE BUILDABLE.

The lot arrangement shall be such that in constructing a building in compliance with the Zoning Code, topography or other natural conditions will not create difficulties in locating the building and driveway and in providing adequate yard areas. Acute angles of side lot lines, odd-shaped and pie-shaped lots should be avoided.

The size, shape, and location of each lot should have the following qualities:

- (a) A suitable site for placing a house without excess grading, footings, or foundations walls;
- (b) Adequate surface drainage away from the house site and outdoor living areas; and
- (c) Driveway grades should be reasonable.

(Ord. 1980-2. Passed 5-12-80.)

1246.24 SETBACKS; CONFORMITY TO YARD REQUIREMENTS REQUIRED.

Placement of the building on the site shall conform to all yard requirements. However, the proprietor should vary the placement of the building on each lot; particularly, the front setback should be varied among several adjacent lots to create a more attractive neighborhood appearance and to relieve the monotony that results from rigid adherence to the minimum requirements.

The setbacks provided should conform to topography and natural features of the site.
(Ord. 1980-2. Passed 5-12-80.)

1246.25 DRIVEWAYS; CURBS.

Driveways and curbcuts shall conform to standards of the County Road Commission. The curb section of driveways and aprons shall be designed so that excessive break-over angle and rear bumper and exhaust pipe dragging will be eliminated.

(Ord. 1980-2. Passed 5-12-80.)

1246.26 LOT DIVISION.

The division of a lot in a recorded plat is prohibited unless approved, following application to the governing body, in conformance with Act 288 of the Public Acts of 1967, as amended. The application shall be filed with the City of Litchfield Clerk and shall state the reasons for the proposed division. No lot in a recorded plat shall be divided into lots for building purposes each of which is less in area and dimensions than permitted by the City of Litchfield's Zoning Code. No building permit shall be issued, nor any construction commenced, until the division has been approved by the governing body and the suitability of the land for building sites has been approved by the County Health Department for all sites not served by a public sewer and water system. The division of a lot that results in lots smaller than lots permitted in this Zoning Code may be permitted, but only for the purpose of adding to an existing building site or sites. The application shall so state and shall be in affidavit form.

(Ord. 1980-2. Passed 5-12-80.)

1246.27 DIVISION OF UNPLATTED PARCELS.

The division of an unplatted parcel of land into two, three, or four lots involving the dedication of a new street shall require the approval of the governing body prior to the division. Application for division shall be made in writing and shall be accompanied by a drawing of the proposed division. No building or occupancy permit shall be issued in such cases until the governing body has approved the division and unless the owner has first secured approval of the County Health Department for lots intended for building purposes and if said lots are not served by public water and sanitary sewer.

(Ord. 1980-2. Passed 5-12-80.)

1246.28 RESERVE STRIPS.

Privately held reserve strips controlling access to streets shall be prohibited. A one-foot reserve shall be placed at the end of "stub" or dead-end streets which terminate at subdivisions boundaries and between half streets, to control access and to prevent erection of structures which might obstruct future street extensions or widenings. The reserves shall be deeded in fee simple to the County Road Commission for areas lying within the corporate limits. (Ord. 1980-2. Passed 5-12-80.)

1246.29 NON-RESIDENTIAL LOTS.

Lots intended for uses other than residential shall be identified on the site plan and shall be specifically designed for such uses, in accordance with provisions of these Subdivision Regulations and the Zoning Code.

(Ord. 1980-2. Passed 5-12-80.)

1246.30 PEDESTRIAN WAYS AND SIDEWALKS.

(a) Pedestrian ways, other than sidewalks in street rights-of-way, shall be at least ten feet wide, when required. The Planning Commission may require a paved walkway to be provided by the proprietor. The pedestrian way shall be treated as an easement.

(b) Sidewalks may be required on both sides of a street, or on one side of a street, or, in very low-density developments, sidewalks may be excepted entirely, according to the discretions of the governing body, based on recommendations from the various approving agencies. Street rights-of-way shall be sufficient on both sides of the street, except in Planned Unit Developments, where variations may be permitted. Streets leading directly to a school shall have sidewalks on both sides.

(c) Walkways in pedestrian ways and sidewalks shall have a minimum pavement width of four feet, and shall have a minimum lateral slope of one-eighth of an inch per foot of width. Sidewalks shall be placed one foot away from the street right-of-way line. Sidewalks shall be concrete, four inches thick, with six-inch thickness under driveways. Driveway aprons shall not break the sidewalk leve.

(d) The pavement of pedestrian ways shall consist of concrete, asphalt, stone, or other surface material, according to requirements of the local engineer or County Road Commission Engineer. Planting pockets shall be provided in pedestrian ways for tree and shrub planting. The planting plan and surface treatment shall meet the approval of the Planning Commission. Fences and/or other improvements may also be required if the Planning Commission and/or governing body determines such are necessary to protect the adjacent property owners or the pedestrians. The Planning Commission may require that pedestrian ways be lighted, with the lighting to be located so as to adequately illuminate the walkway, but not to disturb the adjacent residences. Steps shall not be permitted inside walks or pedestrian paths. Grade changes shall be accommodated by ramps.

(Ord. 1980-2. Passed 5-12-80.)

1246.31 NATURAL FEATURES.

The Planning Commission shall, wherever possible, require the preservation of all natural features which add value to the proposed subdivision and to the community at large, such as large trees or groves of trees, water courses, vistas, historic spots and features, wildlife habitats and ecological areas, and similar irreplaceable assets. The location, nature, and extent of such features shall be identified in the pre-preliminary plat stage and made a

part of the plan to the greatest extent possible and feasible. The preservation and/or inclusion of such features may be made a condition of approval of the pre-preliminary plat and the tentative preliminary plat.

(Ord. 1980-2. Passed 5-12-80.)

1246.32 FLOOD PLAINS.

Any areas of land within the proposed subdivision which lie either wholly or partially within the flood plain of a river, stream, creek, or lake, or any other areas which are subject to flooding or inundation by storm water shall be clearly shown on the pre-preliminary plat, the preliminary plat, and the final plat. Such land shall not be platted for any other uses that might increase the danger to health, life, or property, or unduly aggravate the flood hazard, for properties within the proposed subdivision or up or downstream therefrom. Such land shall be set aside for uses that will not be endangered by periodic or occasional inundation.

(Ord. 1980-2. Passed 5-12-80.)

1246.33 SURFACE DRAINAGE; EASEMENTS.

(a) Where a subdivision is traversed by a water course, drainageway, channel or stream, a storm water easement or drainage right-of-way shall be provided in accordance with standards of the City Engineer. Such easements shall be placed on the edges of lots and shall not interfere with the livability of the lots. Existing drainageways may be made if such changes conform to an overall drainage plan for the particular drainage district.

(b) The Planning Commission may require the subdivider to carry away by pipe or open ditch in appropriate easements, any spring or surface water that might exist either previous to, or as a result of, the subdivision.

(c) A culvert or other drainage facility to be provided in the proposed subdivision shall, in each case, be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The City Engineer or the County Drain Commissioner shall approve the design and size of the facility based on anticipated runoff from a 100-year storm under conditions of total potential development permitted by the Zoning Code and recommended in adopted development policies for the area lying within the watershed.

(d) The subdivider shall study the effect of the subdivision on existing downstream drainage facilities outside the subdivision; this shall also be reviewed by the City Engineer or the County Drain Commissioner. Where it is anticipated that the additional runoff resulting from development of the subdivision will overload an existing downstream drainage facility during a 100-year storm, the Planning Commission shall notify the governing body of such potential condition. In such situations the Planning Commission shall not approve the subdivision until provision has been made for the improvement of said condition.

(e) All drainage improvements shall conform to adopted development plans for the area covered by the proposed subdivision and for the upstream and downstream areas involved.

(f) The Planning Commission may, if it considers such requirements necessary for the proper and safe development of the subdivision and surrounding area, require that the drain be tiled and enclosed.

(Ord. 1980-2. Passed 5-12-80.)

1246.34 EASEMENTS.

(a) Utility line easements shall be provided along the rear or side lot lines as necessary for utility lines. Such easements shall be at least twelve feet wide; six feet on either side of each lot line. Utility easements on lot lines abutting unplatted land may be six feet in width. The proposed layout of telephone and electric utility easements shall be submitted by the proprietor to the utility company serving the area.

(b) All public utilities serving the subdivision shall be underground.

(c) All easements shall be clearly identified on the appropriate plans, as to dimensions, location, purpose, and conditions.

(Ord. 1980-2. Passed 5-12-80.)

1246.35 DEDICATION OR PRESERVATION OF AREAS FOR PUBLIC USES.

Where a proposed park, playground, open space, public school, library or other public use area shown in the adopted Comprehensive Development Plan, or in an adopted applicable part of such Plan, is located in whole or in part in a proposed subdivision, such area or areas shall be shown on the plat. Such area or areas may be dedicated to the City of Litchfield or other applicable public agency by the proprietor if the governing body or other applicable public agency approves such dedication. Such areas, if not dedicated, shall be reserved by the proprietor for future purchase by the City of Litchfield or other appropriate public agency.

The precise nature, location, and extent of the reservation shall be determined during the pre-preliminary plat and tentative preliminary plat stages. The reservation shall be valid for a maximum period of two years from the date on which the governing body approves the final plat. If the governing body does not purchase the property, or purchases only a portion of the property, the entire property or remaining portion thereof shall revert to the proprietor at the end of the two-year period. The reservation shall freeze the price per acre of the property for the two-year period at the average value per acre that existed at the time the pre-preliminary plat is filed. During the two-year period, the governing body, or other public agency, shall not be required to pay more than this amount per acre, nor the proprietor required to accept less. Since the governing body, or other public agency, has the option not

to purchase the reserved property, the plan for the entire subdivision should include provisions for utilizing and incorporating the reserved area into the overall plan should it revert to the proprietor.

(Ord. 1980-2. Passed 5-12-80.)

1246.36 CLUSTER DEVELOPMENTS.

(a) With approval of the Planning Commission, a proposed residential subdivision may be designed instead as a cluster subdivision for the purpose of creating a more desirable living environment than is possible under these Subdivision Regulations as applied to individual residential lots; encouraging the provision and maintenance of open space and recreation areas for the residents of the subdivision; obtaining creativity, variety, efficiency, and economy in the physical development pattern of the community; and assuring the preservation of natural features of the community and their inclusion into the development pattern of the subdivision and community.

(b) The plan for a cluster development shall be submitted in accordance with the procedures and standards of these Subdivision Regulations.

(c) The development must be designed to produce a stable and desirable residential character. Overall densities shall not exceed those permitted in appropriate districts in the Zoning Code. Open space areas shall meet the standards of open space and recreation areas established in the adopted Comprehensive Development Plan. The governing body, with advice from the Planning Commission, shall have the right and responsibility to reject a proposed cluster development if the open space areas are, in its opinion, of such size and shape as to be unusable or unmaintainable for open and recreational purposes. The open space character of the area shall be secured by restrictive covenants or other means to protect the public's interest in maintaining the destiny of development and open space character. Such open space and recreation areas shall be set aside as common land for the sole benefit, use, and enjoyment of the subdivision lot owners, present and future. All open space, tree cover areas, recreation areas, scenic vistas, pedestrian easements or other similar areas, where acreage is utilized in determining the size and extent of common land, shall be included in the covenants or other measures as permanent open space.

(d) Open space in any one cluster development shall be laid out, to the maximum feasible extent, so as to connect with other open space, existing or proposed, in the vicinity, whether such areas are or will be public or private. In the case of two or more adjacent subdivisions, proprietors may cooperatively allocate open space areas, if such areas are coordinated in design and location to an extent acceptable to the Planning Commission.

(e) Cluster subdivisions shall be laid out so as to reduce the linear feet of street for economy and safety that would otherwise be needed to serve the area; to economize on the cost of utility installations; to retain and take advantage of existing natural features and vistas; to reduce the amount of grading required; to take maximum advantage of storage, absorption, and drainage characteristics of the natural landscape; and to otherwise secure the objectives set forth in this section. In so doing, the minimum lot areas, lot widths, and other standards may be modified in accordance with these Subdivision Regulations and the City of Litchfield's Zoning Code.

(f) The cluster subdivision shall be laid out so that its development can be staged in an efficient and economical manner with respect to the opening and maintenance of new streets, the provision of utilities, access to schools and other public and private service facilities, and similar considerations.

(g) Utility easements, such as electric transmissions and storm sewer easements, may be included in the open space area calculation only if they are available to residents of the subdivision, may be landscaped and developed for open space or recreation purposes, and shall be safe for use by persons engaging in open space and recreation activities.

(h) Open drainage courses, suitably graded and stabilized with sod or other ground cover, and planted with trees, shrubs, and other landscape materials, and made an integral part of the overall open space and recreation system, may be acceptable, if approved by the County Drain Commissioner and the County Health Department.

(i) In cluster subdivisions, the common open space shall remain and be maintained as open space in perpetuity. The proprietor shall insure the permanence of both the existence and proper maintenance of the open space by either dedicating it to a public agency responsible for such areas and activities or by dedicating it to a homeowner's association to be made up of the residents of the subdivision. The latter method is, in general, to be preferred.

(j) Where homeowner's associations are to be used, the following conditions shall be met: (1) The association shall be established before dwellings are sold; (2) Membership shall be mandatory for each home buyer and any successive buyer; (3) Open space must be held and maintained as open space in perpetuity; and (4) The association shall be responsible for local taxes, maintenance of grounds and facilities, liability insurance, and other similar duties of ownership. The proprietor shall file a declaration of covenants and restrictions with the preliminary plats, setting forth these and other features of the association. He or she shall also supply to the governing body a copy of Articles of Incorporation and a complete set of by-laws of the association.

(k) The governing body may require that, in addition to the restrictive covenants and the homeowner's association, an easement over the open space area be given to the public to insure that the area will remain open in perpetuity. Such an easement is intended only to preserve open space, and is not intended to provide public access thereto.

(l) Cluster developments for single-family residences may be provided in areas not served by public water and/or sanitary sewers if each lot is adjacent to an open area which, in the opinion of the County Health Department, can be considered to be part of the site for purposes of supplying the area necessary for drainage fields. In such cases the minimum lot size may be reduced to 20,000 square feet from the one-acre minimum. Total overall density in such areas shall not exceed one dwelling unit per acre at completion of the development or during any stage of construction. The County Health Department may require a maximum density of less than one dwelling unit per gross acre if soil conditions are not suitable for development of such density. (Ord. 1980-2. Passed 5-12-80.)

1246.37 COMMERCIAL DEVELOPMENTS.

(a) Where commercial developments such as shopping centers or office parks, fall within the definition of subdivision as set forth in Act 288 of the Public Acts of 1967, as amended, such development shall conform to all provisions of these Subdivision Regulations that may be reasonably applied. Such development shall conform to all Zoning Code requirements.

(b) In addition to other requirements of these Subdivision Regulations, the plan shall show the basic building pattern to be constructed and the general pattern of tenants or types of stores and shops. The parking and circulation pattern shall be clearly delineated and shall be designed so that the circulation system is convenient to customers, can be used with a minimum of congestion, and permits ease of entry and exit from parking spaces. Parking traffic and traffic for entry, exit, and general circulation should be separated (but interconnected) to the maximum feasible extent. Truck and other service traffic should have a separate circulation pattern. Traffic entering or leaving parking spaces should be controlled so that it cannot move in random patterns, but should be channeled into clearly marked and designed traffic ways. Entry drives shall be so designed and located so as not to create congestion or hazardous conditions on the streets serving the center. Traffic ways from parking areas, in their intersections with entry or exit drives, shall be located so as not to interfere with traffic entering or leaving the center.

(c) The Planning Commission may require the provision of a fence, wall, or screen, if it determines such is necessary to protect the adjacent areas from litter, trespass, and other nuisances. The Planning Commission may also require a wider buffer strip for community and regional centers.

(d) Landscaping features around the buildings should be provided.

(e) Any intended future expansion should be provided for in the layout of the initial center and should be shown on the pre-preliminary plat. The area to be included in the expansion, and all connections thereto, shall be indicated on the preliminary and final plats.

(f) All separate buildings in the center, not connected to the principal center buildings, such as, but not limited to, supermarkets, gasoline service stations, theaters, offices, drive-ins, and facilities, shall be shown on the plan along with the circulation and parking patterns to service such facilities.

(g) Pedestrian movement from parking bays to the center and other buildings should be clearly defined and so laid out as to separate, to the greatest extent possible, pedestrians from moving vehicles. (Ord. 1980-2. Passed 5-12-80.)

1246.38 INDUSTRIAL PARKS.

(a) Where industrial developments, such as industrial parks, fall within the definition of subdivision as set forth in Act 288 of the Public Acts of 1967, as amended, such developments shall conform to all provisions of these Subdivision Regulations that may be reasonably applied. Such developments shall conform to all Zoning Code requirements.

(b) In addition to the other requirements of these Subdivision Regulations, the plan should show the basic pattern of streets, service drives, parking areas, and blocks. Individual lots within each block should be defined as they are sold. The plan should emphasize flexibility to accommodate various industrial needs for space and should concentrate on the size and shape of blocks rather than on individual lots.

(c) The plan shall clearly show the various stages for developing the industrial park.

(d) The parking areas and circulation systems should be clearly delineated. Service and loading areas should be separated from other parts of the parking and circulation system. The parking lots shall be designed so as to channel traffic into appropriate aisles and to prohibit random movements. Streets shall be laid out so as to prohibit through traffic.

(e) All streets within the park shall be designated and constructed to easily and conveniently accommodate the movement of large trucks. The internal circulation system and the points of its connection to the public street system serving it shall be so designed and constructed that congestion or hazardous traffic conditions on either system will not be created. Streets within the park normally shall not be extended to the boundaries of adjacent existing or potential residential areas, or connected to streets intended for predominately residential traffic.

(f) The entire park shall be landscaped with trees, sod, shrubs, and other materials suitable for this area. Parking lots shall be landscaped. Maintenance requirements for landscaping on each lot shall be set forth in restrictive covenants.

(g) Buffer strips of at least twenty feet in width, and landscaped, shall be required along the side and rear property lines of the industrial park where these abut a residential, agricultural, institutional, or commercial area. The Planning Commission may require provision of a fence, wall, or screen if it determines that such is necessary to protect the adjacent areas from litter, trespass, and other nuisances.

(h) Pedestrian movements within the park shall be provided for with sidewalks and clearly marked pedestrian paths. These shall be convenient and safe, with the greatest separation from vehicular traffic that is feasible.

(i) Restrictive covenants carried in deeds or leases are encouraged to be provided by the proprietor. Items such as, but not limited to, types of activities permitted, minimum site size, site coverage, outdoor storage, landscaping, building design and construction, and sign control should be covered. The covenants should be discussed with the Planning Commission in the pre-preliminary plat and preliminary plat stages. The covenants should be coordinated with, and complementary to, the City of Litchfield's police power controls.

(j) The proprietor's continuing interest in the park shall be clearly described.

(k) All streets in the Industrial District shall have curbs and gutters and shall be paved, according to standards and specifications of the County Road Commission. Unless otherwise regulated, the grade of streets shall not exceed five percent. Street intersections shall have a minimum curb radius of fifty feet. Drives shall have a minimum curb radius of twenty-five feet.

(l) Parking and loading on all streets in the Industrial District shall be prohibited. Adequate parking and loading areas, and space necessary for maneuvering trucks in loading/unloading operations, shall be provided on each site. Parking and loading areas shall be paved and loading areas shall be adequately screened. (Ord. 1980-2. Passed 5-12-80.)

1246.39 PLANNED UNIT DEVELOPMENTS.

(a) Proposed developments generally larger than a subdivision and including some or all of the activities, land uses, and facilities necessary to serve the principal use of the development may be given certain modifications consistent with the public interest. Such modifications are intended to accommodate the site planning, financial, engineering, and other needs of contemporary large development projects. Such modifications may include, but not be limited to, time extensions, schedules for installation of improvements, security requirements for improvements, reductions in minimum lot widths and areas, mixtures of residential densities and building types, etc.

(b) Modifications shall be made in accordance with Sections 1242.05 et seq. and with the Zoning Code provisions regulating large scale or Planned Unit Developments. All required zoning changes shall be made prior to governing body approval of the tentative preliminary plat.

(c) The proposed development shall conform to the adopted Comprehensive Development Plan with respect to type, location, extent, and density of uses; character and location of roadways; and location and character of neighborhood and community services, facilities, and utilities.

(d) Reservations shall be made in accordance with Section 1246.35. The approved final preliminary plat shall become a part of the adopted Comprehensive Development Plan. (Ord. 1980-2. Passed 5-12-80.)

1246.40 EROSION AND SEDIMENTATION CONTROL.

Since considerable erosion can take place prior to the construction of houses and other buildings and features in a subdivision, the various plats for a subdivision shall contain proposed erosion and sediment control measures. The measures shall be incorporated into the final plat and final construction drawings. Erosion and sediment control measures shall conform to the standards established by the U.S. Soil Conservation Service. The measures shall apply to all street and utility installations as well as to the protection of individual lots. Measure shall also be instituted to prevent and control erosion and sedimentation during the various stages of construction of the subdivision. (Ord. 1980-2. Passed 5-12-80.)

1246.41 SANITARY SEWERS; WATER SUPPLY FACILITIES.

(a) Sanitary sewer and water supply facilities shall be designed and located according to the specifications and procedural requirements of the local engineer or the County Health Department.

(b) Storm sewer facilities shall be designed and located according to the specifications and procedural requirements of the local engineer or the County Drain Commissioner.

(c) In areas with on-site sewage disposal systems, tile fields shall be graded so that storm water drains way from such fields.
(Ord. 1980-2. Passed 5-12-80.)

1246.42 RESTRICTIVE COVENANTS.

(a) Covenants designed to preserve the character of the neighborhood subdivision and to help retain its stability, permanence, and marketability are encouraged to be provided by the proprietor. Such covenants should be recorded with the plat and should be blanket covenants that apply to the entire subdivision. Such covenants are intended to complement the public's continuing control of the subdivision through its zoning and building code powers.

(b) Blanket covenants may contain items such as land use control; architectural control, including walls and fences, as well as buildings; yard and setback requirements; minimum lot size; prohibition of nuisances; regulation of signs; control of type, duration, location, etc. of temporary buildings or vehicles, such as travel trailers, etc., to be stored on each site; scenic or open space easements; and other similar controls.

(c) All covenants shall be discussed with the Planning Commission during the pre-preliminary plat and/or preliminary plat stages and shall be coordinated with existing or anticipated public police power controls.

(d) Covenants should be recorded prior to the sale of any lot within the subdivision.
(Ord. 1980-2. Passed 5-12-80.)