

CHAPTER XIV

SITE PLAN REVIEW

SECTION 14.01 PURPOSE

It is the purpose of this Chapter to require site plan review approval for certain buildings, structures and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels and the character of future development. The regulations contained in this Chapter are intended to promote:

- (a) Safe and convenient traffic movement, both within a site and in relation to access streets;
- (b) Harmonious relationships of buildings, structures and uses, both within a site and with adjacent sites;
- (c) Conservation of natural amenities and resources; and
- (d) To insure compliance with the provisions of this Ordinance and all other applicable Township, state and federal laws.

SECTION 14.02 REQUIRED SITE PLAN APPROVAL

Site Plan approval is required for each use or activity listed below. Type I Site Plans are generally required for smaller or relatively simple uses or activities while Type II Site Plans are required for larger or more complicated projects as follows:

- (a) The Type I site plan review shall be done by the Building Inspector as an administrative review. Type I Site Plans are required for the following:
 - 1. Accessory buildings.
 - 2. Home Occupations.
 - 3. Agricultural Buildings.

4. Homes located within the floodplain.
5. Other uses specifically stated in the ordinance.

The applicant may request a review of the Building Inspector's site plan review by the Planning Commission upon payment of the proper fee and submission of documentation to the Planning Commission.

- (b) Type II Site Plans are reviewed and approved by the Planning Commission. Type II Site Plans are required for any new use or any change in use requiring five (5) or more off-street parking spaces and any expansion thereof.

SECTION 14.03 REQUIRED SITE PLAN INFORMATION

- (a) Type I Site Plans shall contain the following:

1. Name of applicant and owner if not the same.
2. North arrow.
3. Legal description or tax parcel number.
4. A Site Plan map drawn to an appropriate scale to adequately portray the necessary information but in no instance greater than one hundred (100) feet to the inch, illustrating the following:
 - a. Any floodplain area.
 - b. Existing and proposed streets and storm drainage facilities.
 - c. Existing and proposed buildings and structures.
 - d. Lot dimensions.
 - e. New contour lines with no larger than two (2) foot contour intervals resulting from any proposed earth movement.

- f. Existing and proposed curb-cuts, access drives and off-street parking spaces.
 - g. Any proposed landscaping.
5. Any other information as may be deemed necessary to determine compliance with all zoning requirements. Additionally, the Building Inspector or, if reviewed by the Planning Commission, the Planning Commission may waive any of the submittal requirements above deemed unnecessary for the particular review by the Building Inspector or Planning Commission.

(b) Type II Site Plans shall contain the following:

- 1. Name of applicant and owner if not the same.
- 2. Name of development (if any).
- 3. North arrow.
- 4. Legend.
- 5. Location - A location map that shows the location of the project in the broad context of the Township.
- 6. Scale - Site Plans shall be drawn to a scale so that all features required to be shown on the plan are readily discernible. The Building Inspector shall make the final determination whether the plans are drawn to a suitable scale.
- 7. Existing natural features.
 - a. Tree line of wooded areas.
 - b. Streams, ponds, drainage ditches, swamps and floodplains.
 - c. Contour lines with no larger than two (2) foot contour intervals.
- 8. Existing man-made features.

- a. Curb-cuts, access roads and parking lots.
 - b. Existing storm water drainage facilities.
 - c. Underground utility lines, including water, sewer, electric power, telephone, gas, cable television.
 - d. Buildings, structures and signs.
 - e. Location of exterior light fixtures.
 - f. Location of dumpsters.
9. Existing legal feature.
- a. Existing zoning district lines.
 - b. Property lines with dimensions.
 - c. Street right-of-way lines.
 - d. Utility or other types of easements.
10. New features.
- a. Lot dimensions.
 - b. The location and dimensions of all buildings, structures and signs.
 - c. Areas intended to remain as open space.
 - d. Streets, street names and curbs and gutters.
 - e. All storm water drainage improvements.
 - f. Sidewalks and walkways.
 - g. Any outdoor illumination.
 - h. Underground utility lines, including sewer, water, electric power, telephone, gas and cable television.

- i. Dumpsters.
 - j. New contour lines at two-foot intervals resulting from any earth movement.
 - k. All curb-cuts, access drives and off-street parking facilities.
 - l. Proposed plantings to comply with screening requirements.
11. Documents and Written Information - The following is a representative list of types of information that may be requested. The Planning Commission may also request any other information it deems necessary to determine compliance with all zoning requirements. The Planning Commission may, at its option, waive any of the submittal requirements listed above if it determines that specific information is not necessary for reviewing the site plan for the purposes intended. Additionally, the following is a representative list of types of information that may be requested:
- a. Certifications from appropriate agencies that proposed utility systems are or will be adequate to handle the proposed development.
 - b. Legal documentation establishing property owner associations or other legal entities responsible for control over required common areas and facilities.
 - c. Bonds, letters of credit or other surety devices.
 - d. Time schedules for the completion of phases in staged developments.
 - e. The environmental impact of proposed development.
 - f. A fiscal impact analysis of a development on the Township and other governmental units.

SECTION 14.04

REVIEW BY PLANNING COMMISSION

The applicant shall submit four (4) copies of the required Site Plan and related documentation to the Planning Commission for review. The Planning Commission shall review the Type II Site Plan to determine compliance with permitted land use, density of development, general circulation, and other provisions of this Ordinance. The Planning Commission shall respond to the Type II Site Plan within forty-five (45) days and, if denied, shall cite reasons for denial. If approved, a Certificate of Zoning Compliance shall be issued to the applicant by the Building Inspector.

SECTION 14.05

CRITERIA FOR SITE PLAN APPROVAL

The Planning Commission or Building Inspector shall use the following criteria in evaluating a site plan submittal:

- (a) Whether the required information has been furnished in sufficiently complete and understandable form to allow an accurate description of the proposed use(s) and structure(s) in terms of density, location, area, height, bulk, placement, setbacks, performance characteristics, parking, and traffic circulation.
- (b) Whether there are ways in which the configuration of uses and structures can be changed which would improve the impact of the development on adjoining and nearby properties, persons, and activities, and on the community, while allowing reasonable use of the property within the scope of district regulations and other regulations of this Ordinance that are applicable to the property and proposed use and structures.
- (c) The extent to which natural features and characteristics of the land will be preserved; the regard given to existing large trees, natural groves, watercourses, and similar natural features that would add attractiveness to the property and environs if they were preserved; the preservation of natural drainage systems, the dedication and/or provision, where appropriate, of scenic easements, natural buffering, and other techniques for preservation and enhancement of the physical environment.

SECTION 14.06

MODIFICATION OF APPROVED SITE PLAN

Once site plan approval has been granted by the Building Inspector or the Planning Commission, changes to the approved site plan shall require a resubmission and payment of fee and approval of the modifications or changes by the Planning Commission or Building Inspector, as appropriate.

SECTION 14.07

POSTING OF FINANCIAL GUARANTEE

The Planning Commission or Building Inspector is empowered to require a performance bond, letter of credit or certified check in an amount equal to the estimated cost of road, lighting, utility, sidewalk, landscaping and drainage improvements associated with the project. Such performance guarantee shall be deposited with the Clerk of the Township at the time of issuance of the permit authorizing the activity or project to insure faithful completion of the improvements indicated with the approved site plan; if not, said performance guarantee shall be forfeited. The Township shall rebate a proportional share of cash deposits only when requested by the depositor, based on the percent of improvements completed, as attested to by the depositor and verified by the Building Inspector. In cases where the provisions of this Chapter have not been met, the amount of the aforementioned performance guarantee shall be used by the Township to complete the required improvements; and the balance, if any, shall be returned to the applicant.

SECTION 14.08

SITE PLAN PROCEDURE

- (a) When an applicant receives site plan approval, he must develop the site exactly as approved.
- (b) In any case where rezoning of the land would be required to allow the proposed development and/or use of the property as provided for in the site plan, a concept approval of the site plan by the Township Planning Commission shall be considered, contingent upon rezoning of the subject property by the Township Board; such concept site approval shall not be construed as any assurance of such rezoning nor shall it be binding on the applicant if the rezoning is approved.

- (c) Any site plans receiving approval shall be effective for a period of one (1) year, or the life of a building permit obtained pursuant to the approved site plan, whichever is longer. If construction is not commenced within the period that the site plan is effective, no construction shall take place unless there has been a new site plan submitted and approved by the Planning Commission or Building Inspector, as appropriate.
- (d) Before a site plan is marked "approved", it shall be revised to reflect any conditions attached to the approval, or changes or corrections required to obtain approval.
- (e) All requirements of this Ordinance, and any other applicable Township ordinance, standard, specification, or regulation shall be complied with even if not specifically included in an approved site plan.
- (f) For any Type II Site Plan approved, three (3) complete sets of "as-built" drawings, certified by the project engineer or architect, must be submitted by the proprietor at the time of application for an occupancy permit.

SECTION 14.09 ADMINISTRATIVE PLAN REVIEW

A minor change to a Type II Site Plan may be approved administratively by the Building Inspector, provided the plan complies with all applicable requirements of this Ordinance and all other Township regulations and state law. The Building Inspector may approve a site plan for the following:

- (a) Change of location or type of landscape materials.
- (b) Minor changes to an approved site plan which involve the relocation of any of the following items:
 - 1. Sidewalks
 - 2. Refuse containers
 - 3. Lighting
 - 4. Signs

5. Retention/detention ponds

AMENDMENT

36A-4

EFF: 3-18-99

~~(c) Decrease in building size from an approved site plan.~~

(c) An increase or decrease in building size from an approved site plan not exceeding five (5) percent of the gross floor area or five hundred (500) square feet, whichever is lesser.

(d) Moving a proposed building on an approved site plan no more than ten (10) feet, ~~or five (5) percent of the gross floor area, whichever is smaller~~ provided that all setbacks are maintained.

CHAPTER XV

OFF-STREET PARKING AND LOADING PROVISIONS

SECTION 15.01 INTENT

The purpose of this chapter is to permit and regulate off-street parking of motor vehicles and the off-street loading and unloading of vehicles in all zoning districts.

In all zoning districts, off-street parking facilities for the storage and parking of self-propelled motor vehicles for the use of occupants, employees and patrons of buildings erected, altered or extended after the effective date of this ordinance shall be provided as prescribed herein. Such areas shall be maintained and shall not be encroached upon so long as the main building or structure remains, unless an equivalent number of spaces and area are provided elsewhere on the site in accordance with this ordinance.

SECTION 15.02 SIZE AND UNITS OF MEASUREMENT

All off-street parking facilities required by this article shall be of adequate size and design to provide safe ingress and egress to all parking spaces. For the purposes of this ordinance, the average parking area consisting of one (1) parking space with maneuvering lane shall be deemed to be three hundred (300) square feet.

- (a) Minimum Size Standards: The minimum standards for parking spaces and aisles are as indicated in Schedule "A".

SCHEDULE "A"

Minimum Parking Space And Maneuvering Lane Standards

Parking Pattern	Maneuvering Lane Width		Parking Space	Parking Space	Total Width of Two Tiers Plus Lane	
	<u>One-way</u>	<u>Two-way</u>	<u>Width (1)</u>	<u>Length (2)</u>	<u>One-way</u>	<u>Two-way</u>
Parallel	11 ft.	18 ft.	9 ft.	25 ft.	29 ft.	36 ft.
30 to 74 deg.	12 ft.	20 ft.	9 ft.	21 ft.	55 ft.	62 ft.
54 to 74 deg.	13 ft.	24 ft.	9 ft.	21 ft.	55 ft.	66 ft.
75 to 90 deg.	15 ft.	24 ft.	9 ft.	20 ft.	55 ft.	64 ft.

1 Measured Perpendicular to the space centerline.

2 Measured along the space centerline.

SECTION 15.03 ACCESS DRIVES

Each lane of driveway providing access to parking areas shall be a minimum of ten (10) feet in width. Where a turning radius is necessary, it shall be of an arc that allows unobstructed vehicle flow.

SECTION 15.04 REQUIRED CONSTRUCTION

All parking and loading facilities and access drives for uses other than single family residential and agricultural shall be provided with a pavement surface consisting of bituminous concrete or asphalt. Driveways shall be constructed with materials equal to or better than the standards set forth by the Bay County Road Commission for commercial driveways. Parking lots and driveways shall be completely constructed prior to the issuance of an occupancy permit, weather permitting. All parking surfaces shall be maintained in good condition, free from dust, trash and debris.

SECTION 15.05 ENTRANCES AND EXITS

All non-residential parking and loading facilities shall have entrances and exits within the zoning district in which the principal use is permitted.

SECTION 15.06 DRAINAGE

All off-street parking and loading areas shall be graded and drained to dispose of surface water. No surface water shall be permitted to drain onto adjoining property unless there is a common engineered drainage system shared with the adjoining property or an appropriate watershed easement has been obtained.

SECTION 15.07 LOCATION

Unless otherwise regulated under the provisions of Chapter XIII, the location of all non-residential parking facilities shall be as specified in the regulations of each zoning district, and as follows:

- (a) When a required non-residential parking facility is situated on a parcel adjoining a residential district or use, the parking facility shall be set back a minimum of thirty (30) feet from the adjoining residential property. Within this setback and nearest the respective property line, a greenbelt shall be required in accordance with the provisions of Chapter XVII.
- (b) For all residential buildings and for all non-residential uses of buildings located in residential districts, required parking shall be provided on the same parcel as the building or use.

SECTION 15.08 REQUIRED LIGHTING

Unless specifically modified by the Planning Commission as part of Site Plan Approval, all parking and loading facilities utilized during night-time hours shall be artificially

illuminated to a minimum level of one half (?) foot candles and a maximum of five (5) foot candles, with one (1) foot candle being the desired level of average illumination. Lighting fixtures providing illumination for or within parking facilities shall be designed and arranged to:

- (a) Deflect light away from adjacent properties, streets and highways. The source of illumination in any parking facility located within two hundred (200) feet of a residential use or district shall not be more than twenty (20) feet above the parking surface and shall be shrouded to prevent glare. Lamps should be of either incandescent or color corrected sodium vapor variety.
- (b) Allow a reduction of the amount of artificial light during other than normal parking hours.

SECTION 15.09 LANDSCAPING

Landscape features within front yard parking areas shall be installed in accordance with the minimum standards outlined in Chapter XVII. They shall be protected by a raised concrete curb or anchored timbers around their borders to prevent motor vehicle infringement upon the landscape area.

SECTION 15.10 REQUIRED PARKING PER USE

The amount of required off-street parking area and space by type of use shall be determined and provided in accordance with the following schedule (Schedule B). The number of parking spaces required for land or buildings used for two (2) or more purposes shall be the sum of the requirements for the various uses, computed separately. Additional parking spaces shall be constructed when a change in use would require more parking area.

SCHEDULE B

Table of Off-Street Parking Requirements

USE	MINIMUM NUMBER OF SPACES <u>PER UNIT OF MEASURE</u>
1. Residential	
a. One or Two Family	2 Per Dwelling Unit.
b. Multiple Family-1 to 2 Bd.Rm.	1.75 Per Dwelling Unit.
c. Multiple Family-3 or more Bd.Rm.	2 Per Dwelling Unit.
d. Housing for the Elderly	1 Per Unit Plus 1 per 5 Units.
2. Institutional	
a. Church	1 Per each 4 seats or 8 feet of pew in the main place of assembly.
b. Hospital	2 Per Bed.
c. Nursing Homes. Sanitariums	1 Per Bed Plus 1 Per Employee during the maximum shift.
d. Elementary & Jr. High Schools	2 Per Classroom plus additional for auditorium requirements and one (1) space for each 300 S.F. of Administrative Office area.
e. Senior High School	7 Per Classroom plus auditorium requirements, and 1 space for each 300 S.F. of Administrative Office area.
f. Day Care Centers	1 Per employee plus 1 for each 10 students.
g. Private Clubs and Lodges	1 Per each 3 persons allowed within the maximum occupancy load as established by the appropriate fire, health or building code.

SCHEDULE B, CONTINUED

- h. Public or Private Swimming Pool Clubs, Tennis Clubs 1 Per each 1000 feet of net floor and similar uses area.
- i. Auditorium, Stadium, Sports Arena, Theater 1 for each 3 seats or each 6 feet of bench.
- 3. Business and Commercial
 - a. Retail Stores, except as otherwise specified herein 1 Per each 150 square feet of floor area.
 - b. Auto Repair Shop and Service Stations 1 Per each 300 square feet of floor area.
 - c. Auto Wash - Self-wash 5 Per premises plus sufficient waiting space to accommodate 5 vehicles for each wash bay.
 - d. Auto Wash - Automatic Car Wash 7 Per premises plus a parking or waiting area sufficient to accommodate 20 vehicles awaiting entry into the automatic car wash.
 - e. Beauty Salon or Barber 1 Per 100 Sq. Ft. of floor area or 3 for each chair or station, whichever is greater.
 - f. Bowling Alley 5 Per lane plus additional for each accessory use.
 - g. Establishments for the sale area & consumption of beverages food or refreshments on the premises 1.5 Per 100 Sq. Ft. of floor or 1 per each 3 persons allowed for the maximum occupancy load as established by the appropriate fire, health or building code, whichever is greater.

SCHEDULE B, CONTINUED.

h. Motel

1 Per each unit plus 1 for each 5 units plus additional parking for dining and meeting rooms based on 1 space per each three persons allowed for the maximum occupancy load as established by the appropriate fire, health, or building code, whichever is greater.

i. Vehicle Sales, Machinery Sales, Wholesale Outlets, Furniture and Appliance Stores, Hardware, Paint and Home Improvement stores

1 Per each 200 Sq. Ft. of salesroom floor area plus 1 for each service stall.

j. Video Rental and Arcade Establishments

1.5 Per each 100 Sq. Ft. of floor area.

4. Offices

a. Banks, Business & General Offices

1 Per each 200 Sq. Ft. of floor area.

b. Medical, Dental & Veterinary Offices and Clinics

1 Per each 100 Sq. Ft. of floor area.

5. Industrial

a. Manufacturing, Assembly Research & Processing

1 Per each 300 Sq. Ft. of Industrial and Office floor area.

b. Warehousing

1 Per each 600 Sq. Ft. of floor area plus additional for Offices (1 per 200 Sq. Ft.).

c. Mini Storage

5 Per premises plus 1 for each 5 storage bays.

SECTION 15.11 LOADING SPACES

For every building or addition to an existing building hereafter erected of over ten thousand (10,000) square feet requiring the receipt or distribution of materials or merchandise in vehicles, there shall be provided and maintained, on the same premises with such building or addition, off-street loading spaces in relation to floor area as follows:

- (a) Up to twenty thousand (20,000) square feet -- one (1) space.
- (b) Twenty thousand (20,000) to fifty thousand (50,000) square feet -- two (2) spaces.
- (c) Fifty thousand (50,000) to one hundred thousand (100,000) square feet -- three (3) spaces.
- (d) One (1) additional space for each additional one hundred thousand (100,000) square feet or fraction thereof. Each loading space shall be at least ten (10) feet in width and twenty-five (25) feet in length and fourteen (14) feet in height. No such space shall be located closer than fifty (50) feet to any lot in any residence district unless wholly within a completely enclosed building or enclosed on all sides by a wall or a uniformly painted solid board or masonry fence not less than six (6) feet in height, and no such space shall extend into the front, side or rear yard setback areas. Refuse disposal service areas shall be screened from public view with a suitable fence or plant material.

As a means of avoiding construction of greater amounts of parking spaces and impermeable surface area than reasonably needed to serve a particular use while still ensuring site adequacy for a broad range of potential changes in the use of a building or premises, the Planning Commission may defer construction of the required number of spaces for any industrial, commercial, office or other non-residential use if the following conditions are satisfied:

- (a) An application is filed in writing with the Planning Commission. Said application shall be accompanied by a site plan of the entire project showing the design and layout of all required parking areas, including areas proposed for deferred parking. An application for deferred parking plan approval shall be accompanied by a fee as established by the Township Board.
- (b) The design of the parking area, as indicated on the site plan, includes sufficient space to provide for the total parking area as required by this Chapter in Section 15.10, Schedule B.
- (c) The area designated for deferred parking shall not include areas required for setbacks, side or rear yards, landscaping or greenbelts or land otherwise unsuitable for parking due to environmental or physical conditions.

The Planning Commission, in acting upon a Deferred Parking Plan, may modify the requirements of Schedule B. The Planning Commission may also impose reasonably necessary conditions to protect the public interest and may require the provision of security to assure completion of any related improvements required as a condition of Deferred Parking Plan Approval. At any time subsequent to the approval and construction of a deferred parking plan, the Planning Commission may, based on review of parking needs by the Planning Commission, require the construction of additional parking spaces as required in Schedule "B".

SECTION 15.13

MISCELLANEOUS OFF-STREET PARKING PROVISIONS

- (a) Existing Off-Street Parking at the Effective Date of this Ordinance: Off-Street parking existing at the effective date of this Ordinance, which serves an existing building or use, shall not be reduced in size to less than that required under the terms of this Ordinance.
- (b) Fractional Requirements: When units of measurement determining the number of required parking spaces result in the requirement of a fractional space, the fraction shall be considered one full required space.
- (c) Requirements for use not listed shall be the same for that use which is most similar to the use not listed.
- (d) For the purposes of determining off-street parking and loading requirements, the following provisions shall apply:
 - 1. Floor area shall mean net floor area of all floors of a building as defined in Chapter XXX, Section 30.82.
 - 2. Joint or collective provision of off-street parking areas for buildings or uses on one (1) or more properties shall not be less than the sum of the requirements of the participating individual uses computed separately.
- (e) It shall be unlawful to use any off-street parking or loading area established to meet the requirements of this Ordinance for any purpose other than parking of licensed vehicles or the loading or unloading of necessary service trucks, unless otherwise provided for in the provisions of this Ordinance.

CHAPTER XVI

INGRESS AND EGRESS PROVISIONS AND PRIVATE STREETS

SECTION 16.01 INTENT

It is the purpose of this chapter to establish guidelines for location and design of driveways that can be used for new construction in undeveloped areas and for redevelopment of existing developed areas. The objectives of these requirements are to reduce the frequency of conflicts between vehicular movements and to increase the spacing between conflict points, thereby providing motorists with increased decision process time which will increase safety and assure smoother traffic flow.

SECTION 16.02 GENERAL PROVISIONS

- (a) Turn Prohibitions: Left turns may be prohibited at the discretion of the Planning Commission to and from driveways under the following conditions:
 - 1. Inadequate corner clearance.
 - 2. Inadequate sight distance.
 - 3. Inadequate driveway spacing.
- (b) Relationship to Opposing Driveways: To the extent desirable and reasonably possible, driveways shall be aligned with driveways on the opposite side of the street.
- (c) Sight Distance: Adequate sight distance shall be ensured for all vehicles exiting from a proposed development. If certain movements cannot be made safely, then they shall be prohibited or joint access with adjoining property shall be encouraged.
- (d) Driveway Permits: Prior to the granting of a building permit for any construction involving a new or expanded driveway opening to a public street, a permit for such driveway from the state and/or county agency having

jurisdiction over the public street shall be submitted to the Building Inspector.

SECTION 16.03

INGRESS AND EGRESS PROVISIONS:
COMMERCIAL DISTRICTS

- (a) Driveway Spacing: Every effort shall be made to space the centerlines of driveways at a minimum of three hundred (300) feet. In cases where such spacing cannot be achieved, a minimum spacing of one hundred fifty (150) feet may be permitted provided that the average spacing of driveways within three hundred (300) feet of the subject property is maintained at no less than two hundred (200) feet and/or the driveway results in a driveway consolidation with an existing driveway or joint access with an adjoining property.
- (b) Property Clearance: The minimum distance between the property line and the nearest edge of the driveway shall be twenty-five (25) feet.
- (c) Corner Clearance: The minimum tangent curb length between the centerline of a driveway and street intersection shall be one hundred fifty (150) feet. Traffic movements to driveways less than two hundred fifty (250) feet from a signalized intersection may, at the discretion of the Planning Commission, be limited to right turns only.

SECTION 16.04

INGRESS AND EGRESS PROVISIONS:
"O" OFFICE AND "I" INDUSTRIAL DISTRICTS

- (a) Driveway Spacing: Every effort shall be made to space the centerlines of driveways at a minimum of two hundred (200) feet. In cases where such spacing cannot be achieved, a minimum spacing of one hundred fifty (150) feet may be permitted by the Planning Commission, provided that the average spacing of driveways within three hundred (300) feet of the subject property is maintained at no less than one hundred (100) feet and/or the driveway results in a driveway consolidation with an existing driveway or joint access with an adjoining property.
- (b) Property Clearance: The minimum distance between the property line and the nearest edge of the driveway shall be

twenty-five (25) feet, except where the driveway provides access to more than one parcel.

- (c) Corner Clearance: The minimum tangent curb length between the centerline of a driveway and street intersection shall be one hundred fifty (150) feet. Traffic movements to driveways less than two hundred fifty (250) feet from a signalized intersection may, at the discretion of the Planning Commission, be limited to right turns only.

SECTION 16.05 INGRESS AND EGRESS PROVISIONS:
RESIDENTIAL DISTRICTS

- (a) Residential: All residential driveway openings onto a public street shall be constructed to Bay County Road Commission standards. Copies of permits issued by the Road Commission shall be provided to the Building Inspector prior to issuance of building permit.
- (b) Non-Residential: All driveway openings for non-residential uses permitted in the Residential Districts shall be reviewed and approved by the Planning Commission as part of site plan approval or the provision contained in Chapter XIX, Special Use.

SECTION 16.06 PRIVATE STREETS

Private streets, as defined in Chapter XXX, Section 30.138(b), are permitted as a special use in all zoned districts, provided the following conditions and criteria are met:

- (a) A preliminary street plan, prepared by a registered professional engineer, must be submitted to and approved by the Planning Commission. Said plan shall be at a scale of no less than one (1) inch one hundred (100) feet and shall clearly indicate the location of the private street, the length of the private street, and all parcels that will be served by the private street. Said plan shall also indicate any other facilities that will be located within the street right-of-way such as, but not limited to, storm drainage, sanitary sewers, water mains, natural gas lines, and underground electric and telephone lines.

- (b) Proposed deed restrictions and/or deed conveyances must be submitted to and approved by the Planning Commission.
1. How permanent access for pedestrian and vehicular traffic will be assured for each parcel.
 2. That the Charter Township of Hampton has a right to construct public or semi-public utility systems within the private street right-of-way.
 3. That the Charter Township of Hampton and/or the Bay County Road Commission will not be responsible for maintaining, snowplowing, or for improving the private street, or for constructing public or semi-public utility systems serving said street and that a methodology for assessing and collecting the costs of such maintenance and or improvements to the parcels and lots served by the private street be submitted to and approved by the Planning Commission.

In the event there are lots which abut the proposed private road which are not owned by the applicant and in the further event any of these owners are unwilling to agree to the requirements of Sections 16.06(b)3 and 16.006(b)4, the Planning Commission may waive such compliance provided that the costs under Section 16.06(b)3 attributable to these lots are satisfactorily provided for in the methodology and the waiver approved by the Township Board, and ownership of the entire road is satisfactorily provided for.

4. That all lots serviced by the private street shall own to the centerline of the proposed private street right-of-way. Further, the parcel of property subject to the private street right-of-way may not be conveyed separate and apart from the individual lots serviced by the private street unless the private street right-of-way is dedicated to a public entity and made a public street. The deed restriction shall also reserve the right to convey the private street right-of-way to a public entity and shall show the methodology for effectuating this conveyance. (For example, but not by way of limitation, the private street may be dedicated to a public entity upon presentation of a petition signed by a majority of the owners of those lots serviced by the private street.)

(c) The Planning Commission shall review the particular circumstances and facts applicable to each proposed private street in terms of general standards contained in Section ___ of this Chapter and the following standards and requirements and shall make a determination as to whether the proposed street to be developed on the subject parcel meets the following standards and requirements:

1. It must be consistent with and in accordance with the general objectives, intent, and purposes of this Zoning Ordinance.
2. It must be designed, constructed, operated, maintained, and managed so as to be compatible with existing adjacent land uses and appropriate in appearance with the existing or intended character of the general vicinity.
3. It must be served adequately by essential public facilities and services, including but not limited to highways, streets, police and fire protection, drainage structures, municipal sanitary sewer and water, refuse disposal, or that parties or agencies responsible for the establishment of the proposed use shall be able to economically provide any such service, together with sufficient deed restrictions and or easements to accomplish the said purpose.
4. It must be consistent in assuring that the general public health, safety, and welfare will not be infringed upon.
5. It must be in complete compliance with all general and specific standards and conditions imposed pursuant to this Zoning Ordinance, other applicable local ordinances, and other applicable state and federal requirements.

(d) If a Special Use Permit is issued, a construction permit shall issued within (1) one year of the date of the issuance of the special use permit unless an extension is granted by the Planning Commission. Within one (1) year from the original date of issuance of a special use permit, the applicant may petition the Planning Commission for a one (1) year extension. After review by the Planning Commission, the Planning Commission may, within its sole

discretion, grant an extension of time within which to obtain a construction permit, provided there is no change made to the proposed plan. If an additional extension is sought and requested within the first one (1) year extension, the Planning Commission may similarly review and approve, within its sole sound discretion, an additional one (1) year extension. In no event shall more than two (2) extensions be granted by the Planning Commission without a new Special Use Permit being obtained. Failure of the applicant to obtain a construction permit within one (1) year of the date of approval of the Special Use Permit or any extensions provided herein shall result in a revocation of the grant of the Special Use Permit.

(e) If a special use permit is issued, and prior to the start of construction, engineering construction plans sealed by a registered professional engineer shall be submitted to the Planning Commission for approval. If the Planning Commission determines that the plans are in accordance with the following private street standards, a construction permit may be issued by the Building Inspector.

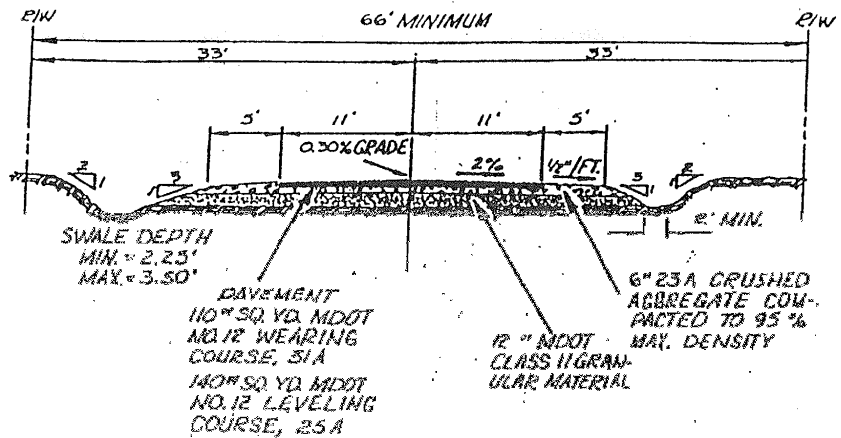
1. A minimum right-of-way of sixty-six (66) feet.
2. A maximum length to the radius point of any turn around of nine hundred (900) feet.
3. A minimum street grade of three-tenths (.3) of a percent and a maximum street grade of five (5) percent.
4. Horizontal curves shall have a centerline radius of not less than two hundred fifty (250) feet.
5. A vertical street alignment which provides for a minimum of thirty (30) miles per hour and a stopping sight distance of at least two hundred (200) feet.
6. Utility plan showing electricity, gas, water, sewer, telephone, cablevision, street lighting, drainage, and fire hydrants. Further, all proposed traffic control devices shall be shown and a statement made whether the applicant requests the traffic control devices be approved by the township traffic control engineer for enforcement purposes.

7. Provide that the street shall be cleared and graded for the entire width of the roadway cross-section.
8. The street cross-section and turn-around shall conform to the drawing attached as Exhibit 1 or the minimum County Road Commission construction standards, or modifications thereof, which are approved by the Planning Commission.
9. Drainage structures (such as culverts) shall be provided to insure flow through any traversed drainage course as well as at driveways. End sections and or grouted bag (rip rap) headwells shall be constructed at the ends of all culverts. Drainage marker posts shall be placed at the ends of all culverts forty-eight (48) inches in diameter or less. The minimum diameter of a driveway culvert shall be twelve (12) inches.
10. If any county drain is traversed, plans shall be approved by the Bay County Drain Commissioner before construction.
11. The minimum road swale grade shall be two (2) percent.
12. Four (4) inches of topsoil with seed, fertilizer, and mulch, with Michigan Department of Transportation roadside mixture, shall be applied to all disturbed areas. Ditches shall be sodded for grades greater than two and one-half (2?) percent or where the velocities in the ditch exceed three (3) feet per second.
13. Railroad crossings shall have approval from the Michigan Public Service Commission for new crossings. Advance warning signs and crossbuck signs are required.
14. All materials and construction methods shall be in accordance with the latest edition of the Michigan Department of Transportation Standard Specifications for Construction.
15. Public sanitary sewer and water shall be connected to all lots serviced by the private street where they are available.

EXHIBIT A
HAMPTON CHARTER TOWNSHIP

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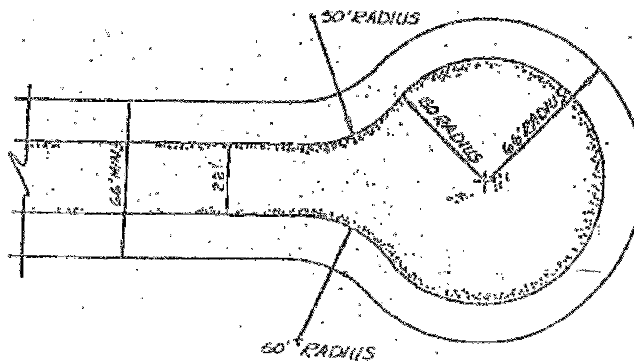
PRIVATE STREET STANDARDS



NOTES:

1. DIMENSIONS & GRADES ARE MINIMUMS.
2. CURVES ARE MAXIMUM.
3. USE ENLARGED STREET SEWER UNDER SWALE.
4. PATCH SHOULD BE 2.0' DEEP.
5. 66' (1/2" SET) BASED ON DEPTH OF SWALE OPEN.

TYPICAL CURVE-SECTION



CUL-DE-SAC

NOT DRAWN TO SCALE