

CHAPTER 155: SUBDIVISION REGULATIONS

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GENERAL PROVISIONS

§ 155.01 SHORT TITLE.

These regulations shall be known and cited as the Subdivision Regulations of Ferrysburg, Michigan, herein referred to as “regulations”.

(Ord. 24, passed 11-2-70)

§ 155.02 PURPOSES.

The purposes of these regulations are to provide for the orderly growth and harmonious development of the community; to secure adequate traffic circulation through coordinated street systems with relation to major thorough-fares, adjoining subdivisions, and public facilities; to achieve individual property lots of maximum utility and livability; to secure adequate provisions for water supply, drainage and sanitary sewerage, and other health requirements; to secure adequate provisions for recreational areas, school sites, and other public facilities; and to provide procedures for the achievement of these purposes.

(Ord. 24, passed 11-2-70)

§ 155.03 DEFINITIONS.

For the purposes of these regulations, certain words, terms and phrases shall be defined as follows:

BUILDING SETBACK. The horizontal distance between a dwelling and a street line.

CITY ENGINEER. An official so designated by the City Mayor to carry out the functions and duties of City Engineer specified herein.

COMMISSION. The Ferrysburg City Planning Commission.

CITY COUNCIL. The City Council of Ferrysburg.

DRAINAGE COLLECTION BASIN. An area of land which, because of the nature of the topography, collects naturally the surface drainage of the surrounding land.

EASEMENT. A grant by the owner of the use of a strip of land by the public, a corporation, or persons, for specific uses and purposes, to be designated as a “public” or “private” easement, depending on the nature of the use.

GENERAL DEVELOPMENT PLAN. The comprehensive plan, or elements thereof, for development of the community, which shall have been duly adopted by the Planning Commission, i.e., the “master plan”.

LOT. A parcel or portion of land separated from other parcels or portions by description, as in a subdivision or on a record survey map or by metes and bounds, for purposes of sale, lease, or separate use.

(1) **MINIMUM LOT WIDTH.** In the case of rectangular lots or lots on the outside of the curve of a street: the distance between side lot lines measured at the minimum building setback line on a line parallel to the street or street chord; in the case of lots on the inside of the curve of a street: the distance between side lot lines measured at the rear line of the dwelling or 30 feet behind the front setback line, parallel to the street or street chord.

(2) **USABLE LOT AREA.** That portion of a lot usable for or adaptable to the normal uses made of a residential property, excluding any areas which may be swampy, excessively steep, covered by water, or included in a public easement for surface drainage or a private easement for a high voltage power transmission line.

MASTER STREETS AND THOROUGHFARES PLAN. The part of the General Development Plan which sets forth the location, alignment and dimensions of existing and proposed streets and thoroughfares.

PERFORMANCE GUARANTEE. Any security which may be accepted by the City Council in lieu of a requirement that certain public improvements be made prior to approval of a final plat, including performance bonds, escrow deposits and other similar collateral or surety agreements.

PLAT. A map of a subdivision.

(1) **FINAL PLAT.** A map of all or part of a subdivision providing substantial conformance to the preliminary plat of the subdivision, prepared and certified by a registered engineer or land surveyor in compliance with requirements of the Plat Act, P.A. 288 as suitable for recording in the County Register of Deeds.

(2) **MASTER SUBDIVISION PLAN.** A preliminary plan for the development of a large landholding to be developed progressively by sections, meeting the requirements of § 155.47.

(3) PRELIMINARY PLAT. A preliminary map and supporting data indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for review by the Commission and meeting requirements of § 155.48.

(4) SKETCH PLAN. A sketch map of a proposed subdivision at sufficient accuracy and scale to serve the purposes of § 155.46.

PUBLIC IMPROVEMENT STANDARDS. A set of standards approved by the City Council establishing the design and material specifications to be used in all public improvements installed pursuant to these regulations. Such public improvement standards shall be based on and reflect the general policies set forth in the Schedule of Improvement Requirements in § 155.33 herein.

STREET. Any street, avenue, boulevard, road, land, parkway, viaduct, alley, or other way which is an existing state, county, or municipal roadway; or, a street or way shown in a plat heretofore, approved pursuant to law or approved by official action; or a street or way on a plat duly filed and recorded in the office of the County Register of Deeds. A street includes the land between the street lines whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas, and out lawns.

(1) ALLEY. A minor service street used primarily to provide vehicular access to the rear or side of properties otherwise abutting upon a street.

(2) BOULEVARD STREET. A street developed with two two-lane, one-way pavements separated by a grassed island.

(3) COLLECTOR STREET. A street within a neighborhood used primarily to carry traffic from minor streets to major thoroughfares; including principal entrance streets to a residential development.

(4) CUL-DE-SAC STREET. A short minor street having one end permanently terminated by a vehicular turnaround.

(5) MAJOR THOROUGHFARES. Any interstate, state or county highway, or any local traffic artery of considerable continuity carrying a large volume of vehicles.

(6) MARGINAL ACCESS STREET. A minor street paralleling and adjacent to a major thoroughfare which provides access to abutting properties and protection from through traffic.

(7) MINOR STREET. A street of limited continuity used primarily for access to abutting residential properties.

(8) U STREET. A short boulevard street permanently terminated by a vehicular turnaround.

SUBDIVIDER. Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect the subdivision of land for himself or for another.

SUBDIVISION. The partitioning or division of a tract or parcel of land into five or more lots, tracts, or parcels of land; or, if a new street is involved, any division of a parcel of land; or the division into more than two parts of any lot or piece of land, the boundaries of which have been fixed in a recorded plat; provided that a partitioning or division of land into tracts or parcels of land of ten acres or more, and not involving a new street, shall not be deemed a subdivision.

(Ord. 24, passed 11-2-70)

DESIGN PRINCIPLES AND STANDARDS

§ 155.15 CONFORMANCE TO OTHER REQUIREMENTS AND REGULATIONS.

(A) Every subdivision plat shall conform to the requirements and objectives of the General Development Plan, or any parts thereof, as adopted by the Commission; to the Zoning Ordinance and other city ordinances; and to the Public Acts of the State of Michigan.

(B) Whenever a tract to be subdivided embraces any part of a street designated on the Master Streets and Thoroughfares Plan, such street shall be platted in the location and width indicated on such plan.

(Ord. 24, passed 11-2-70)

§ 155.16 STREET LOCATION AND ARRANGEMENT.

(A) Street layout shall provide for the continuation of existing major or collector streets in surrounding areas, or conform to a plan for neighborhood development approved by the Commission.

(B) Certain proposed streets, as designated by the Commission, shall be extended to the boundary line of the tract to provide future connection with adjoining unplatted land. In general, these extensions shall not be more than 1300 feet apart.

(C) Where a subdivision abuts any of the following right-of-ways or zone districts, the Commission shall normally require location of a street approximately parallel to and one lot depth distant from such right-of-ways or zones.

- (1) Any street the Commission may designate as a major traffic artery.
- (2) Railroads and major overhead utility transmission lines.
- (3) Commercial or industrial districts.

(D) Proposed streets shall be so arranged in relation to existing topography as to produce desirable lots and streets of reasonable gradient.

(E) Except where justified in unique conditions, alleys will not be approved in those parts of the plat proposed for one or two-family residential use.

(F) Street jogs with centerline offsets of less than 125 feet shall be avoided.

(Ord. 24, passed 11-2-70)

§ 155.17 STREET DESIGN.

(A) Minimum right-of-way widths.

(1) Major thoroughfares - as indicated on Master Streets and Thoroughfare Plan.

(2) Collector streets - 66 feet.

(3) Minor streets - 66 feet.

(4) Boulevard streets - 80 feet.

(5) "U" streets - 120 feet, terminating in a circle 120 feet in diameter.

(6) Marginal access streets (where permitted) - 40 feet, abutting thoroughfare right-of-way.

(7) Alleys (where permitted) - 20 feet.

(8) Half-streets - prohibited, except where absolutely essential to the reasonable development of the tract in conformity to principles herein stated. Whenever a half-street has previously been platted and constructed shall be platted within the tract.

(B) Grades.

(1) Maximum - all streets, 5%, provided that, where essential to reasonable development, 7% may be permitted for collector and minor streets.

(2) Minimum - concrete streets and gutters, 0.40%.

(3) All other street and gutter surfacing, 0.50%.

(C) Vertical Alignment.

(1) Major thoroughfares: minimum sight distance, 600 feet, measured on and 5 feet above street centerline.

(2) All other streets: minimum sight distance, 300 feet, measured as in (C)(1) above.

(D) Horizontal Alignment.

(1) When tangent centerlines deflect from each other more than 100 and less than 900, they shall be connected by a curve with a minimum radius of:

(a) Collector streets: 300 feet.

(b) Minor streets: 150 feet.

(2) Between reverse curves there shall be a minimum tangent distance of 100 feet.

(3) Streets intersecting a major thoroughfare shall do so at as near a 90° angle as possible.

(4) Minor streets intersecting a collector street or major thoroughfare shall have a tangent section of centerline at-least 50 feet in length measured from the right-of-way line of the major street, provided that no such tangent is required when the centerline of the minor street has a curve radius greater than 400 feet with curve center located on the right-of-way line of the major street.

(Ord. 24, passed 11-2-70)

§ 155.18 BLOCK DESIGN.

(A) Maximum length of blocks, measured between intersections of centerlines: 1300 feet. This maximum may be exceeded by not more than 500 feet in developments with lot sizes averaging ½ acre, or where extreme topographic conditions warrant.

(B) Maximum length of cul-de-sac and “U” streets, measured from the intersection of right-of-way lines to the extreme depth of turning circle along centerline of street: 600 feet. Exceptions may be made for extreme topographic conditions. Exceptions shall not be made for the purpose of avoiding the extension of streets to connect with adjoining unplatted or platted parcels.

(Ord. 24, passed 11-2-70)

§ 155.19 LOT PLAN.

Minimum lot widths, depth, and area shall be appropriate for the location and character of development and for the type and extent of street and utility improvements proposed. In general, the following minimums shall prevail:

(A) Minimum lot width at building line: 60 feet.

(B) Minimum usable lot area: 7,200 square feet - (Sec. 7.10 of Zoning Ordinance).

(C) The depth-to-width ratio of the usable area of a lot shall not exceed 3 to 1.

(D) Building setback lines shall conform to the minimum requirements of the Zoning Ordinance.

(E) Side lot lines shall generally be at right angles or radial to street lines except where, in the opinion of the Commission, other treatment may be justified.

(F) Every lot shall abut upon a public street which shall provide satisfactory connection to an existing public street.

(G) Lots extending through the block and having frontage on two streets shall be prohibited. Reverse frontage shall be prohibited except as permitted by § 155.16(C).

(H) However, where existing zoning requires higher standards than above, the lotting shall satisfy such higher standards.

(I) However, where public water and sewer, and full urban right-of-way improvements will not be provided, lotting shall be commensurate with utilities and improvements as provided for in § 155.48(C).

(J) However, in cases of cluster subdivisions, golf course subdivisions, multiple townhouse subdivisions, or other such subdivisions or parts thereof designed with the intent of consolidating open land areas for park and recreation purposes, the Planning Commission may modify lotting standards in keeping with the objectives and intent of these regulations.

(Ord. 24, passed 11-2-70)

§ 155.20 EASEMENT PLANNING.

(A) Except where alleys are provided for the purpose, a private utility easement, not less than 12 feet in total width, shall be provided along rear or side lot lines or in such other location as may be recommended by the utility company.

(B) Poorly drained land, or land within a public drainage easement intended for surface use, or land within a private utility easement for major power transmission (tower) lines, shall not be considered a part of the minimum required lot area except where lots equal or exceed 15,000 square feet in ground easements or utility easements for distribution purposes.

(C) Lots arranged to back to thoroughfares, railroads or commercial and industrial districts, as required in § 155.16(C), shall be provided an extra depth of at least 25 feet to be recorded as a non-access private easement. Not more than 25 feet of such extra depth shall be excluded in determining the depth-to-width ratio of § 155.19(C).

(D) Private fencing shall not be permitted within public drainage easements.

(Ord. 24, passed 11-2-70)

STREET AND UTILITY IMPROVEMENT REQUIREMENTS

§ 155.30 PURPOSE.

It is the purpose of this subchapter to:

- (A) Establish in outline the minimum acceptable standards for improvement of streets and utilities.
- (B) Define the responsibility of the subdivider in the planning, construction and financing of public improvements.
- (C) Establish procedures for review and approval of engineering plans.

(Ord. 24, passed 11-2-70)

§ 155.31 ENGINEERING PLANS.

(A) Preparation.

(1) It shall be the responsibility of the subdivider to have prepared by a registered engineer a complete set of engineering plans, including profiles, cross-sections, specifications, and supporting data, for construction of required public improvements. Such engineering plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat. Such plans shall be prepared in compliance with the schedule of improvement requirements set forth in § 155.33, supplementary public improvement standards in § 155.32, and with applicable requirements of county and state authorities.

(2) Where, for any reason, the approval of County or State Health or Highway Departments is required by law, as in the case of sewage treatment plants and county or state highway improvements, such approvals shall be secured in writing and attached to engineering plans prior to submittal for local review and action.

(B) Submittal. Three copies of engineering plans shall be filed with the City Clerk simultaneous with the filing of the final plan.

(C) Review.

(1) The City Clerk shall check the submission for completeness and, if complete, the record receipt and the date thereof, and immediately distribute the documents as follows:

- (a) One copy to the Commission for review and recommendations.
- (b) One copy to the City Engineer for review of compliance to requirements and standards, preparation of construction cost estimates, and recommendation for rejection or approval.

(2) Reviewing bodies shall make known their recommendations in writing to the City Clerk as soon as possible, bearing in mind the 30-day maximum time limit for final action by the City Council as required in § 155.55(A).

(3) If either recommendation is for rejection, it shall specify the reasons therefor, the City Clerk being notified immediately so that the filing date can be revised.

(D) Approval. Approval of engineering plans by the City Council shall be simultaneous with that of the Final Plat as set forth in § 155.55.

(Ord. 24, passed 11-2-70)

§ 155.32 IMPROVEMENT REQUIREMENTS.

(A) Responsibility. The subdivider shall provide street and utility improvements in each new subdivision in accordance with the standards and requirements described in the following schedule. This schedule may be supplemented by public improvement standards adopted by the City Council establishing design and material specifications to be used in all public improvements installed pursuant to these regulations.

(B) Types of Development. The standards and specifications for each general type of development shall be as follows:

(1) TYPE "A".

(a) Single-family residential developments having minimum lot widths of 60 feet; lot areas less than 9,000 square feet; public sewer and water.

(b) Two-family and multiple-family developments shall increase the floor requirements for each additional unit in excess of one by 50% of that required for a single-family dwelling and the open space requirement for each additional unit in excess of one by 25% of that required for a single-family dwelling. The first unit of a multiple-family dwelling shall meet the requirements of a single-family dwelling.

(2) TYPE "B". Single-family residential developments having minimum lot widths of 75 feet; minimum lot areas of less than 9,000 square feet; public sewer and public water.

(3) TYPE "C". Single-family residential developments having minimum lot widths of 100 feet; minimum lot areas less than 15,000 square feet; public sewer and public water.

(4) TYPE "D". Single-family residential developments having minimum lot widths of 100 feet; minimum lot areas of 20,000 square feet; public sewer and public water.

(5) For commercial, industrial and other types, as determined by the Planning Commission with the advice of the City Engineer.

(Ord. 24, passed 11-2-70)

§ 155.33 SCHEDULE OF IMPROVEMENT REQUIREMENTS.

The following requirements supplement those provided by the Standards and Specifications for Plat Development and Street Construction of the Ottawa County Road Commission.

(A) Major thoroughfares: where an existing road abuts the subdivision, the subdivider shall improve his half of said road to a width and standard equal to his interior street requirements; subject to plans approved by the City Engineer.

(B) Collector streets: 66 ft. ROW; 32 ft. pavement measured face to face of curbs, rolled or battered curbs; 5 ft. concrete sidewalk both sides; street trees.

(C) Minor streets: 66 ft. ROW; 26 ft. pavement measured face to face of curbs; rolled or battered curbs; 4 ft. concrete sidewalk both sides; street trees.

(D) Boulevard streets: 80 ft. ROW; two 18 ft. pavements measured face to face of curbs and separated by 18 ft. island; rolled or battered curb both sides of both pavements; 5 ft. concrete sidewalk next to both ROW lines; street trees in island and along both sides.

(E) Marginal access streets: 40 ft. ROW abutting major street ROW; 18 ft. pavement measured face to face of curbs; rolled or battered curb on outside pavement edge; curb on inside pavement edge if major street is curb; no curb on inside if major street has swale drainage; grassed island; 4 ft. sidewalk on outside only; street trees on outside only.

(F) Cul-de-sac streets: Same as division (C) above except for turning circle with 120 ft. diameter ROW; 26 ft. pavement with 45 ft. outside radius; grass island; rolled or battered curb all pavement edges; 4 ft. concrete sidewalk both sides; street trees.

(G) "U" streets: 120 ft. ROW; two 18 ft. pavements measured face to face of curbs and separated by 44 ft. island; terminated by turning circle with 120 ft. diameter ROW, pavement with 40 ft. outside radius; rolled or battered curb all pavement edges; 4 ft. concrete sidewalk both sides; street trees in island and along both sides.

(H) Alleys: 20 ft. ROW; 20 ft. pavement with reverse crown.

(I) Street and lot grading: per plans and profiles approved by City Engineer.

(J) Curb or curb and gutter: per details and specifications approved by City Engineer.

(K) Pavement: per details and specifications approved by City Engineer.

(L) Sidewalks: per details and specifications approved by City Engineer.

(M) Street trees: in accordance with standards of variety, size and installation adopted by the city, shall be planted 60 feet apart, between curb and sidewalk.

(N) Street signs: shall be placed at all intersections simultaneous with completion of pavement. Detail and specifications in accordance with adopted city standards.

(O) Monuments: permanent metal monuments shall be installed in compliance with the Plat Act, Sec. 10. After installation of improvements; the subdivider shall have a registered engineer or surveyor check the location of monuments and certify to their accuracy in accordance with Sec. 11, Plat Act.

(P) Sewage Disposal: public system per plans approved by City Engineer.

(Q) Water Supply: public system per plans approved by Michigan Department of Health and the City Engineer.

(R) Storm Drainage:

(1) Fully enclosed system. Per plans approved by City Engineer. Additional approval by County Drain Commission is required if County drains are involved.

(2) Drainage requirements.

(a) In addition to proposed development, all existing roads within or abutting the plat shall be drained to acceptable outlet.

(b) All drains shall be located in public easements of a width to be determined by the City Engineer.

(c) Drainage collection basins, where approved, shall be public easements having public access.

(d) All lots shall be graded to avoid impounding of surface water on any lot.

(Ord. 24, passed 11-2-70)

§ 155.34 GUARANTEE OF COMPLETION.

(A) Form of financial guarantee. In lieu of actual installation of required public improvements, the subdivider may elect to provide a financial guarantee of performance in one or a combination of the following arrangements.

(1) Performance or surety bond.

(a) Value of bond: an amount satisfactory to the City Council.

(b) Length of term: a period specified by the City Council, provided that such a period shall not exceed 12 months, and further provided that under extraordinary circumstances this period may be extended by City Council action for not more than 12 months.

(c) Approval of bonding company: surety company to be authorized to do business in the State of Michigan and be approved by the City Council.

(2) Cash deposit, certified check, or negotiable bonds: deposit shall be made with the City Treasurer or a responsible escrow agent or trust company, subject to the approval of the City Council, of money or negotiable bonds in the same amount and kind approved by law for securing deposits of public money in banks. If a cash deposit is made, the agreement shall provide that progress payments shall be made to the contractor or the subdivider out of the deposit as work progresses.

(3) Special assessment: in cases where all properties abutting on a public right-of-way are not under the control of the subdivider, the subdivider may petition the city, through the City Council to provide the necessary improvements and to assess the cost thereof against the abutting property in accordance with local requirements regarding special assessments; provided, however, that the subdivider shall be responsible for any differences between the cost of the improvements and the amount that can be legally assessed by the city against the property to be subdivided and shall furnish the necessary waivers to permit the assessment of the entire cost of the improvements.

(B) Penalty For failure to complete installation. In the event the subdivider does in any case fail to complete such work within such period as required by the conditions of the guarantee, the City Council shall have such work completed. The city, in order to reimburse itself for the cost and expense thereof, may appropriate the deposit of cash money or negotiable bonds which the subdivider may have deposited in lieu of a surety bond, or may take such steps as may be necessary to require performance by the bonding company.

(C) Progressive installation. When any portion of an improvement has been fully completed to the satisfaction of the City Engineer, he shall recommend, and the City Council authorize, the reduction in bonds or a partial withdrawal of funds equal to the estimated cost of such completed portion.

(Ord. 24, passed 11-2-70)

PLAT PROCEDURES

§ 155.45 STAGES OF PROCEDURES.

Subdivision planning, review and approval shall proceed through the following stages.

- (A) Basic policy stage.
- (B) Preliminary plat preparation and submission.
- (C) Preliminary plat review and approval.
- (D) Final plat preparation and submission.
- (E) Final plat review and approval.

(Ord. 24, passed 11-2-70)

§ 155.46 BASIC POLICY STAGE.

(A) Introduction.

(1) The basic policy stage comprises a process of preliminary investigation, which precedes actual preparation of plans by the subdivider. During this stage the subdivider makes his tentative plans known to the Commission and is advised by the Commission of specific public objectives related to the subject tract and other details regarding procedures and requirements. As a result of this interchange, basic development policies are agreed upon by both parties.

(2) The purpose of this stage is to guide and assist the subdivider in his future decisions regarding detailed financial and physical planning, and to resolve potential conflicts of interest at the earliest possible time and with the least hardship to both parties.

(3) To insure the greatest effectiveness of this stage, the subdivider should have firm control of the site so that discussions need not be confidential.

(B) Obligations of the subdivider. The subdivider shall meet with the Commission or its appointed representatives to present a general outline of his subdivision proposal, including but not limited to the following.

(1) Sketch plans and ideas regarding land use, street and lot arrangement, tentative lot sizes, and the like.

(2) Tentative proposals regarding water supply, sewage disposal, surface drainage, and street improvements.

(3) Sketches indicating size and general character of proposed buildings.

(C) Functions of the Planning Commission. The Commission shall discuss with the subdivider his proposal and advise him of procedural steps, design and improvement standards, and general plat requirements. The Commission shall then carry out the following investigations preparatory to making known its recommendations not later than the next regular Commission meeting.

(1) Inspect the site to determine its relationship to major thoroughfares, utility systems and adjacent land uses, and the existence of any unusual development problems such as topography, utilities, and the like.

(2) Check the existing zoning of site and make recommendations if zoning change is required.

(3) Determine the need for preparation and review of a Master Subdivision Plan prior to consideration of preliminary plat.

(4) Determine the adequacy of existing schools and public open spaces.

(Ord. 24, passed 11-2-70)

§ 155.47 MASTER SUBDIVISION.

(A) Conditions for Master Subdivision Plan. A Master Subdivision Plan shall be prepared and submitted by the subdivider and tentatively approved by the Commission prior to preparation and submission of the initial preliminary plat whenever either of the following conditions exist.

(1) The tract initially proposed for platting constitutes only a portion of a larger land holding of the subdivider.

(2) The tract is a part of a larger land area, the development of which is complicated by unusual topographic, utility, land use, land ownership, or other conditions.

(B) Preparation and submission.

(1) The Master Subdivision Plan shall be prepared to a scale and accuracy commensurate with its purpose and shall include the following.

(a) General street pattern with particular attention to collector streets and future circulation between neighborhoods.

(b) General location and size of school sites, parks or other public areas.

(c) Location of shopping centers, multi-family residential, or other proposed land uses.

(d) Methods proposed for sewage disposal, water supply and storm drainage.

(2) Five copies of the Master Subdivision Plan shall be filed with the City Clerk at least ten days prior to a regular Commission meeting, whereupon the Clerk shall check the submittal for completeness, assign it a case number and place the case on the Commission meeting agenda.

(C) Review and approval.

(1) The Commission shall review the Master Subdivision Plan for compliance with the objectives of the General Development Plan, giving special attention to the following:

(a) Streets and thoroughfares as related to neighborhood circulation.

(b) Utility methods or systems as related to the planned community system.

(c) Location of any proposed commercial development as related to existing or anticipated community or neighborhood need.

(d) Land required for schools, parks or other public use; the general location and amount of public land and the approximate timing of acquisition shall be tentatively determined at this stage. One copy of the plan shall be transmitted to the Superintendent of Schools for his information and recommendations as to school needs.

(2) Owners of adjoining unplatted land shall be notified by registered mail of the date, time and place of the meeting at which the case is to be heard at least five days prior to said meeting. The Commission shall consider and act upon the plan not later than the next regular meeting following its initial consideration. Action shall take the following form of recommended revision or tentative approval, such approval being subject to modification from time to time as parts of the plan are submitted as preliminary plats. The plan shall be kept current and the Commission furnished current copies as modification takes place and preliminary plats are prepared.

(Ord. 24, passed 11-2-70)

§ 155.48 PRELIMINARY PLAT PREPARATION.

The information hereinafter required as part of the preliminary plat submittal may be shown either graphically or by note or letter, and may comprise several sheets showing various elements of required data. All mapped data shall be presented at a scale of one inch equal 100 feet. Required data includes the following.

(A) Identification and description.

(1) Proposed name of subdivision and location by section showing section or quarter-section corners for reference.

(2) Names and addresses of subdivider, band planner and/or engineer(s) preparing plans or data.

(3) Graphic scale, north point, and date of preparation.

(B) Existing conditions.

(1) Topography by contours related to City of Ferrysburg survey datum; contour interval to be 5 feet where grades exceed 5% and 2 feet for lesser grades.

(2) Location, width and names of all platted streets, railroads and utility right-of-ways within or adjacent to the tract.

(3) Location and identification of all public areas and municipal corporation lines within or adjacent to the tract.

(4) Location of lakes, swamps, streams, and surface drainage ways with direction of flow and water level elevations.

(5) Location and elevations of all existing sewers, water mains, storm drains or other underground facilities within or adjacent to the tract.

(6) Names of owners or tract designations of adjoining unplatted tracts.

(7) Acreage of tract to the nearest tenth.

(C) Proposed conditions.

(1) Layout of proposed plat showing the following.

(a) Location and width of public streets, alleys, walkways and easements, including connections to adjoining platted streets and unplatted tracts. If plat abuts or includes a state highway, the approval of the Michigan State Highway Department will be required for preliminary plat approval.

(b) All lots including building setback lines, dimensions of typical lots, scaled dimensions of all corner lots and lots on curvilinear sections of street; location of private utility easements; lot numbers and total number of lots.

(2) Proposed land use, including the following.

(a) Location, area and designation of all land to be reserved, acquired or dedicated for public use.

(b) Location, area and designation of all land to be reserved for common use of lot owners in the subdivision.

(c) If plat includes land for which commercial, industrial or multi-family residential zoning is proposed but nonexistent, rezoning shall be requested and acted upon prior to formal consideration of the preliminary plat. In the event that such rezoning is not requested or not approved, the subject area of the tract shall be designed as single-family residential in the preliminary plat but such subject area may subsequently be withheld from the final plat.

(d) Draft of proposed protective covenants to be recorded with plat.

(3) Proposed utility installations.

(a) Sewage disposal, if proposed by individual systems. Preliminary plat submittal shall include a tabulated record and a keyed map of soil percolation tests made by and certified by a registered engineer, at the rate of one test per acre of usable land; also, a letter indicating general appraisal of soil data for septic tank operation from the Ottawa Board of Health.

(b) Sewage disposal, if proposed by treatment plant. Preliminary layout and estimate of cost of proposed system, type and capacity of treatment, location of plant and outlet; subject to approval of Michigan Department of Health, Ottawa County Board of Health if required, City Engineer, the Commission and the City Council.

(c) Water supply, if proposed by public system. Preliminary layout and estimate of cost of proposed system, location and anticipation capacity of wells; subject to approval of Michigan Department of Health if required, Ottawa County Board of Health, City Engineer, Commission, and the City Council.

(d) Storm water disposal. Preliminary layout and estimate of cost of proposed system, location, size and invert elevations; subject to approval of City Engineer, the Commission, the City Council, and, if county drains are involved, the Ottawa County Drain Commission.

(e) Subsoil drainage. Wherever there is reason to expect that any part of the tract has high water table or unstable subsoil conditions, preliminary plat submittal shall include a tabulated record and a keyed map of soil borings made and certified by a registered engineer.

(Ord. 24, passed 11-2-70)

§ 155.49 PRELIMINARY PLAT SUBMISSION.

(A) Five copies of the preliminary plat and supporting data shall be filed with the City Clerk at least ten days prior to the regular Commission meeting at which the subdivider can be heard. The City Clerk shall check the submittal for completeness, assign it a case number, and place the case on the Commission meeting agenda. The submittal shall be rejected if incomplete and the subdivider notified. Owners of adjoining unplatted land shall be notified by registered mail of the date, time and place of the meeting at which the case is to be heard at least five days prior to said meeting.

(B) Upon presentation of the plat and supporting data at the Commission meeting, its receipt shall be entered in the minutes and one copy permanently retained in Commission files.

(C) Two copies to the Ottawa County Plat Board.

(Ord. 24, passed 11-2-70)

§ 155.50 PRELIMINARY PLAT REVIEW.

The Commission shall review the plat for compliance with the objectives of the General Development Plan, giving special attention to the following elements.

(A) Design standards as set forth herein.

(B) Streets and thoroughfares as related to neighborhood circulation.

(C) Water areas: plan of any proposed water areas indicating depths, normal water levels, slopes and type of bank retention; methods of controlling insects, water growths and vegetation.

(D) Utility methods and systems, and street improvements; one copy of submittal shall be transmitted to the City Engineer for his information and recommendations.

(E) Existing and proposed zoning and land use.

(F) Land required for schools, parks or other public use; one copy of submittal shall be transmitted to the Superintendent of Schools for his information, use and recommendations.

(Ord. 24, passed 11-2-70)

§ 155.51 PRELIMINARY PLAT APPROVAL.

(A) Procedures. The Commission shall consider the preliminary plat at the next regular meeting following its presentation, at which time the reviewing officials shall make known their recommendations in person or by letter.

(1) If satisfied that all objectives of these regulations have been met, the Commission shall give "recommended approval" to preliminary plat, the Chairperson making a notation of such approval upon two copies of the plat, one to be forwarded to City Commission together with pertinent minutes and other data, and one to be retained in the permanent Commission file.

(2) If the Commission's recommended approval is tentative and conditional, said conditions shall be recorded in the meeting minutes, and the case tabled until the conditions have been satisfied by the subdivider. The plat, when revised, shall be resubmitted in accordance with normal procedures.

(3) If the Commission rejects the plat, it shall record the reasons therefor in the meeting minutes, the Chairperson noting the rejection upon the Commission's file copy.

(4) An excerpt of the pertinent items of the meeting minutes shall be sent to the subdivider in any event.

(5) The City Council shall receive a preliminary plat for consideration only when accompanied by "recommended approval" of the Planning Commission. Following such receipt it shall consider the case at its first regular meeting thereafter. If the City Council rejects a plat, it shall record the reasons therefor in the meeting minutes, with copies thereof sent to the Planning Commission and subdivider. If the City Council accepts the Planning Commission's recommendation and gives approval (preliminary approval) to the preliminary plat, such approval shall be recorded in meeting minutes, with copies thereof sent to the Planning Commission and subdivider.

(6) Ottawa County Plat Board shall receive two preliminary plats for its review and get the concurrence of the state as outlined by P.A. 288.

(B) Significance of preliminary approval. Preliminary approval confers upon the subdivider the following conditional rights for a period of one year from date:

(1) The general terms and conditions under which preliminary approval was granted will not be changed.

(2) The subdivider may submit on or before the expiration date the whole or part of the plat for final approval.

(3) Preliminary approval does not commit final acceptance of streets for dedication nor continuation of zoning requirements for the tract or its environs.

(Ord. 24, passed 11-2-70)

§ 155.52 FINAL PLAT PREPARATION.

(A) Preparation of the final plat shall comply with the requirements and suggestions set forth in the provisions of Michigan Public Act 288 of 1967 as adopted and subsequently amended, which is hereby made a part of these regulations.

(B) The final plat shall conform substantially to the approved preliminary plat.

(Ord. 24, passed 11-2-70)

§ 155.53 FINAL PLAT SUBMISSION.

(A) The subdivider shall file with the City Clerk at least five copies of the final plat together with three copies of engineering plans and estimates of cost, prepared in accordance with § 155.31.

(B) At the time of filing, the subdivider shall deposit with the City Clerk the sum of \$60 for expenses of inspection of land, meetings, and such fees required by the Plat Act, Public Act 288 as amended.

(C) The City Clerk shall record receipt and date of filing, and immediately check the submission for completeness. If the submission is incomplete, the subdivider shall be so informed and the date of filing revised.

(D) Ottawa County Board shall receive two copies of the plat and a letter from the city according to the instructions covered in the Ottawa Plat Board Rules and Procedures for Review of Plats.

(Ord. 24, passed 11-2-70)

§ 155.54 FINAL PLAT REVIEW.

(A) If the plat is complete, the City Clerk shall transmit one copy to each of the following reviewing officers:

(1) Commission, for determination of substantial conformity to approved preliminary plat.

(2) City Engineer, for determination that metes and bounds of plat are accurate and the traverse closed; for detailed review of engineering plans in accordance with § 155.31 for preparation of a cost estimate for installation of required improvements; and for recommendations as to the type and amount of performance guarantee most appropriate.

(3) City Treasurer, for determination of unpaid taxes against the land or liens for special assessments.

(4) Ottawa County Plat Board for their review and approval.

(B) The Clerk shall assemble recommendations of the reviewing offices and present them together with the plat to the City Council at its next meeting.

(Ord. 24, passed 11-2-70)

§ 155.55 FINAL PLAT APPROVAL.

(A) The City Council shall consider the recommendations of the reviewing offices, and approve or reject the plat within 30 days of its acceptance for filing by the City Clerk.

(B) If the City Council rejects the plat for any reason, whatsoever, the subdivider shall be notified in writing, with the reasons for rejection.

(C) A copy of excerpts of the City Council minutes, approving or rejecting the plat, shall be sent to the Commission.

(D) Approval of the plat shall be simultaneous with approval of the engineering plans in accordance with § 155.31.

(E) When the City Clerk has received evidence of completion of required improvements from the City Engineer or evidence of deposit of performance guarantee from the Treasurer, he shall transcribe a certificate of approval of the City Council on the plat and deliver it to the Clerk of the County Plat Board.

(F) No construction of improvements shall be commenced by the subdivider until he has received notice of the conditional approval of the City Council

(Ord. 24, passed 11-2-70)