

LIVONIA SUBDIVISION RULES & REGULATIONS



REGULATIONS

Governing the subdivision of land within the City of Livonia, Wayne County, Michigan, and providing for the enforcement thereof.

FOREWORD

It is suggested that any person contemplating the subdivision of land within the City of Livonia familiarize himself with the Subdivision Regulations, and the provisions of the Plat Ordinance, as amended. These local enactments contain the specific terms, conditions, and requirements which will have to be complied with by all subdividers of property in this community.

The subdivider is also referred to the City Planning Commission Act (Act 285, Michigan Public Acts of 1931, as amended), and the Plat Act (Act 172, Michigan Public Acts of 1929, as amended). These two statutory enactments contain the general terms, conditions and requirements which have to be complied with by all subdividers of property in the State of Michigan.

The subdivider's particular attention is directed to the "Pre-Application Procedure" established by these Subdivision Regulations. The purpose of the pre-application procedure is to afford the subdivider an opportunity to avail himself of the advice and assistance of the City Planning Commission; to familiarize himself with the Subdivision Regulations and the requirements of the City of Livonia; and to consult early and informally with the Commission staff before preparation of the preliminary plat and before application for its approval in order to save time, effort and money and in order to avoid any misunderstanding as to City requirements and procedure.

The subdivider should also consult with parties potentially interested with him or with the ultimate users of the development, such as lending and mortgage insurance institutions, with a view to reaching, at this initial stage, firm conclusions regarding what part of the market demand should be served, the suitability of the location of the proposed subdivision, the most desirable subdivision plan, the arrangement of streets, lots, open spaces, and other features of the proposed development.

Good counsel and advice on all facets of the proposed subdivision is essential at this stage. The subdivider is advised to engage a land planning specialist qualified to help him resolve the major factors into a workable and desirable subdivision plan, and a professional engineer to help him resolve and plan all necessary subdivision improvements and utilities.

INDEX

	Page
ARTICLE I – TITLE AND SCOPE	6
Section 1.01 Title	6
Section 1.02 Territorial Limits of Rules and Regulations	6
ARTICLE II – ENABLING ACT, PURPOSE AND CONSTRUCTION	6
Section 2.01 Enabling Act	6
Section 2.02 Purpose	6
Section 2.03 Construction	7
ARTICLE III – DEFINITIONS	7
Section 3.01 Commission	7
Section 3.02 City Engineer	7
Section 3.03 Council	7
Section 3.04 Cul-de-sac	7
Section 3.05 Department	7
Section 3.06 Final Plat	7
Section 3.07 Marginal Access Street	8
Section 3.08 Master Plan	8
Section 3.09 Planning Commission Act	8
Section 3.10 Planning Director	8
Section 3.11 Plat Act	8
Section 3.12 Plat Ordinance	8
Section 3.13 Preliminary Plat	8
Section 3.14 Street Width	8
Section 3.15 Subdivide	8
Section 3.16 Subdivider	8
Section 3.17 Words	9
Section 3.18 Zoning Ordinance	9
Section 3.19 Others	9
ARTICLE IV – ADMINISTRATION	9
Section 4.01 Administration	9
Section 4.02 Officers; Meetings; Rules and Records	9
ARTICLE V – PRE-APPLICATION PROCEDURE	9
Section 5.01 Pre-Application	9

INDEX – Continued

	Page
Section 5.02 Pre-Application Conference	9
Section 5.03 Notice	10
Section 5.04 Plans and Data for Pre-Application	10
 ARTICLE VI – PROCEDURE FOR TENTATIVE APPROVAL OF PRELIMINARY PLAT	 11
Section 6.01 Application	11
Section 6.02 Preliminary Plat	11
Section 6.03 Filing of Application, Preliminary Plats and Supplemental Information	12
Section 6.04 Review of Preliminary Plat	12
Section 6.05 Public Hearing before Tentative Approval Notice	13
Section 6.06 Tentative Approval of Preliminary Plat	13
Section 6.07 General Conditions attached to All Tentative Approvals	13
Section 6.08 Evidence of Tentative Approval; Distribution	14
Section 6.09 Development Plans for Improvement	14
 ARTICLE VII – PROCEDURE FOR APPROVAL OF FINAL PLAT	 14
Section 7.01 Record of Final Plat	14
Section 7.02 Plats and Date for Final Approval	15
Section 7.03 Review of Final Plat by Planning and Engineering Departments	17
Section 7.04 Approval of Final Plat	17
 ARTICLE VIII – PLATTING REGULATIONS AND REQUIREMENTS ...	 17
Section 8.01 Conformity with Statutes, Ordinances, Resolutions and Commission Regulations ..	17
Section 8.02 Prohibition	17
 ARTICLE IX – DESIGN STANDARDS	 18
Section 9.01 Design Standards for Streets	18
Section 9.02 Design Standards for Alleys	21
Section 9.03 Design Standards for Easements	21

INDEX – Continued

	Page
Section 9.04	Design Standards for Monuments 21
Section 9.05	Design Standards for Blocks 21
Section 9.06	Design Standards for Pedestrian Crosswalks 22
Section 9.07	Design Standards for Sidewalks 22
Section 9.08	Design Standards for Lots 22
Section 9.09	Design Standards for Open Spaces 23
Section 9.10	Design Standards for Protective Wall 24
Section 9.11	Design Standards for Off-Street Parking 24
Section 9.12	Design Standards for Use, Area or Bulk Requirements or Restrictions of Buildings and Premises 24
ARTICLE X – IMPROVEMENTS 25	
Section 10.01	Installation and Financing 25
Section 10.02	Financial Assurances 25
Section 10.03	Agreement to Construct 25
ARTICLE XI – VARIANCES 25	
Section 11.01	Variances; Hardship 25
Section 11.02	Variances; Conditions 25
ARTICLE XII – MISCELLANEOUS 26	
Section 12.01	Compliance; Conflict 26
Section 12.02	Severability 26
Section 12.03	Application of These Subdivision Rules and Regulations 26
Section 12.04	Repeal 26
Section 12.05	Effective Date 26

Subdivision Rules and Regulations

STATE OF MICHIGAN

CITY OF LIVONIA

REGULATIONS GOVERNING THE SUBDIVISION
OF LAND WITHIN THE CITY OF LIVONIA,
WAYNE COUNTY, MICHIGAN, AND PROVIDING
FOR THE ENFORCEMENT THEREOF.

The City Planning Commission of the City of Livonia does hereby adopt the following rules and regulations governing the subdivision of land within the City of Livonia pursuant to the authority contained in Act 285 of the P. A. of Michigan of 1931, as amended, and Section 105 of the Subdivision Control Act of 1967.

ARTICLE 1

TITLE AND SCOPE

Section 1.01. Title. These rules and regulations may be known and cited as “The Subdivision Rules and Regulations.”

Section 1.02. Territorial Limits of Rules and Regulations. The rules and regulations governing plats and subdivision of land contained herein shall apply to all land within the corporate limits of the City of Livonia.

ARTICLE II

ENABLING ACT, PURPOSE AND CONSTRUCTION

Section 2.01. Enabling Act. These regulations are adopted pursuant to the provisions of the Planning Commission Act, and Section 105 of the Subdivision Control Act of 1967.

Section 2.02. Purpose. The purpose of these regulations is to protect the public health, safety and welfare, and encourage the development of a permanently wholesome community environment by providing for the proper arrangement of streets in relation to other existing or planned streets and to the

Master Plan, for adequate and convenient open spaces for traffic, utilities, access of fire-fighting apparatus, recreation, light and air, and for the avoidance of congestion of population including minimum width and area of lots, and by providing the extent to which streets and other ways shall be graded and improved and to which water and sewer and other utility mains, piping, or other facilities, shall be installed in new subdivisions.

Section 2.03. Construction. In their interpretations and applications, the provisions contained herein shall be held to be the minimum requirements adopted to protect the public health, safety and welfare. The provisions of the “Plat Ordinance” of the City of Livonia, as amended, are hereby made a part of these regulations by this reference, and the provisions contained herein shall not be construed as either waiving or reducing either in whole or in part any of the provisions or requirements of the said Plat Ordinance, as amended. The provisions and requirements of these rules and regulations shall be construed, if possible, in such a manner as to make such provisions compatible and consistent with each other and likewise with the provisions of all existing and future ordinances of the City of Livonia, and all amendments and supplements thereto; however, where a conflict cannot be avoided, then in all such cases the most restrictive of such inconsistent or conflicting provisions shall control and prevail.

ARTICLE III

DEFINITIONS

Section 3.01. Commission. The City Planning Commission of the City of Livonia, created pursuant to Section 20, Chapter IV, of the Charter, as amended, of the City of Livonia and the Planning Commission Act.

Section 3.02. City Engineer. The City Engineer for the City of Livonia.

Section 3.03. Council. The word “Council” as used herein shall mean the City Council of the City of Livonia.

Section 3.04. Cul-de-sac. Relatively short street having one end open to traffic and being terminated at the other end by a permanent vehicular turn-around.

Section 3.05. Department. The Department of Public Works of the City of Livonia, including the City Engineer.

Section 3.06. Final Plat. A map of all or part of a subdivision prepared, and its accuracy certified, by a registered civil engineer or land surveyor in strict conformity with the requirements of the Plat Act, as amended, substantially

consistent with the approved preliminary plat (and conditions attached to such approvals) and in a form suitable for recordation in the office of the Wayne County Register of Deeds.

Section 3.07. Marginal Access Street. A street which is parallel and adjacent to a major thoroughfare or highway, situated between the latter and buildings facing on such highway and which provides access to such abutting properties and protection from through traffic.

Section 3.08. Master Plan. The words “Master Plan” as used herein shall mean that Master Plan, or any part thereof, adopted by the Commission pursuant to the Planning Commission Act, including any amendments thereof. The words “Master Thoroughfare Plan” as used herein shall mean that part of the Master Plan relating to the major street system of the City.

Section 3.09. Planning Commission Act. The words “Planning Commission Act” as used herein shall mean Act 285, Michigan Public Acts of 1931, as amended, which is made a part hereof by this reference.

Section 3.10. Planning Director. The words “Planning Director” as used herein shall mean the City Planner of the City of Livonia.

Section 3.11. Plat Act. The words “Plat Act” as used herein shall mean Subdivision Control Act of 1967.

Section 3.12. Plat Ordinance. The words “Plat Ordinance” as used herein shall mean the Plat Ordinance of the City of Livonia, as amended.

Section 3.13. Preliminary Plat. The terms “Preliminary Plat” or “Proposed Plat” as used herein shall mean the preliminary map, drawing or chart, indicating the proposed layout of the subdivision in sufficient detail to provide an adequate basis for review by the Commission and Council and prepared in accordance with the requirements of Article VI, Section 6.02 of these rules and regulations.

Section 3.14. Street Width. The term “street width” shall mean the distance between the outside lines of the street right-of-way.

Section 3.15. Subdivide. The word “subdivide” as used herein shall have the same meaning as defined in the Plat Act.

Section 3.16. Subdivider. The word “subdivider” as used herein shall mean and include the word “proprietor” as defined in the Plat Act and shall also be deemed to include the plural as well as the singular and may mean either a natural person, association, partnership, or a firm or corporation, or any combination thereof.

Section 3.17. Words. Words used in the present tense include the future; words used in the plural include the singular number, and words in the singular number include the plural.

Section 3.18. Zoning Ordinance. The words “Zoning Ordinance” as used herein shall mean the Zoning Ordinance of the City of Livonia, all new ordinances relating to zoning restrictions and districts which may hereafter be adopted under the provisions of Act 207, Michigan Public Acts of 1921, as amended, and all past and future amendments to any of the ordinances mentioned or referred to in this section.

Section 3.19. All other words and phrases used in these regulations shall have the same meaning as defined in the Plat Act, as amended, and City Planning Commission Act, as amended, Zoning Ordinance, as amended, and Plat Ordinance, as amended.

ARTICLE IV

ADMINISTRATION

Section 4.01. Administration. These rules and regulations shall be administered by the Commission with the assistance of the Planning Director.

Section 4.02. Officers; Meetings; Rules and Records. The Commission shall elect its chairman from amongst the appointed members, and create and fill such other offices as it may determine. The term of the chairman shall be for one (1) year with eligibility for re-election. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

ARTICLE V

PRE-APPLICATION PROCEDURE

Section 5.01. Pre-Application. Previous to the filing of an application for tentative approval of a preliminary plat, the subdivider shall submit to the Planning Director the pre-application plans and data as specified in this article.

Section 5.02. Pre-Application Conference. The subdivider, or his authorized agent, shall arrange for a pre-application conference with the Director. At the conference, the Director shall examine the pre-application material with the subdivider, or his authorized agent for compliance with this article. The Director shall also explain and answer any questions, to the best of his ability,

which the subdivider may have concerning plat procedures, Commission policies, standards, design requirements and the Master Plan.

Section 5.03. Notice. Within seven (7) days after the pre-application conference, the Planning Director shall notify the subdivider in writing that:

- 1) Pre-application exhibits, as submitted, are acceptable; or
- 2) Pre-application exhibits are acceptable subject to compliance with specified changes and/or conditions; or
- 3) Pre-application exhibits are unacceptable for specified reasons, and no further consideration will be given until a new and acceptable pre-application submission is made. The subdivider may appeal to the Commission in the event of any disagreement regarding the sufficiency of the pre-application material.

Section 5.04. Plans and Data for Pre-Application. The subdivider shall submit as his pre-application the following plans and data:

- 1) GENERAL SUBDIVISION INFORMATION that describes and outlines the existing conditions of the site of the proposed development as necessary to supplement the drawings required below. This information shall include data on existing covenants and restrictions, land characteristics, and available community facilities and utilities, information describing the subdivision proposal such as the proposed number of residential lots, typical lot width, depth and area, the range between the smallest lot and the largest lot to be proposed, price range, business areas, existing or proposed open spaces for playgrounds, recreation, park and other public areas, proposed restrictive covenants and proposed utilities and street improvements, as well as the location of all trees having a diameter of three (3) inches or more:
- 2) LOCATION MAP that clearly shows the relationship of the proposed subdivision to existing community facilities which serve or influence it. Include development name and location; main traffic arteries; public transportation lines; shopping centers; elementary and high schools; parks and playgrounds; principal places of employment; other community features such as hospitals, churches, etc.; title; scale, north arrow and date.
- 3) SKETCH PLAN showing in simple sketch form the proposed layout of streets, lots, existing water courses, land to be dedicated, and other features in relation to existing conditions. The sketch plan may be a free-hand pencil sketch, preferably on a print or topographic survey.

ARTICLE VI

PROCEDURE FOR TENTATIVE APPROVAL OF PRELIMINARY PLAT

Section 6.01. Application. Upon receipt of notice from the Director that pre-application exhibits have been found acceptable, or acceptable subject to compliance with specified changes and/or conditions, the subdivider shall cause to be prepared a Preliminary Plat and may file an application in writing (and 5 copies thereof) with the Commission for tentative approval of the preliminary plat.

Section 6.02. Preliminary Plat. Twenty (20) copies of the preliminary plat at a scale of not more than two hundred (200) feet to the inch and prepared by a registered civil engineer or land surveyor shall be submitted with the application showing the following:

- 1) Title under which proposed subdivision is to be recorded, description of the land sought to be platted, the names and addresses of the subdividers, and technical author of the plan.
- 2) Location of existing and proposed property lines, streets, alleys, buildings, watercourses, drains, railroads, utilities, easements, open spaces for recreation, and other physical features and characteristics of the proposed subdivision.
- 3) The location, name and width (with full dimensions) of all proposed streets, boulevards, alleys, easements and public utilities, parks, plantings, location of all trees having a diameter of three (3) inches or more, lot and building setback lines on the property sought to be subdivided.
- 4) Open spaces proposed to be dedicated for parks, playgrounds, recreation or other public uses.
- 5) Proposed grade elevations at street intersections or breaks in grade.
- 6) Flood plain as may be designated by the Flood Plain Ordinance and restricted in use by Act 288 of the Subdivision Control Act of 1967.

The following supplemental information (and 5 copies thereof) shall also be submitted with the application for preliminary plat approval:

- 1) Location of adjoining streets, alleys, utilities, building drains, water courses, easements and other physical features which relate to the development of the subdivision.

- 2) The proposed method of water supply and sewage disposal and storm water disposal.
- 3) Engineering data as may be required by the Commission relative to the topography, street cross-sections, sewer elevations, water elevations, and similar conditions.
- 4) Proposed uses of property.
- 5) A draft of proposed protective restrictions and covenants to be imposed upon the property after subdivided (whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development), and pertaining particularly to (a) minimum building sites, (b) minimum dwelling sizes, and (c) minimum construction standards.
- 6) Photographs, if required by the Commission, with camera locations, directions of views and key numbers.
- 7) Title and certificates showing present tract designation by legal description according to official records in office of Wayne County Register of Deeds; title under which proposed subdivision is to be recorded, with names and addresses of all proprietors and subdividers; notation stating acreage, scale, north arrow, date, bench marks, certification of registered civil engineer or land surveyor, and date of survey.

Section 6.03. Filing of Application, Preliminary Plats and Supplemental Information. In order to be filed, the application, preliminary plats and supplemental information shall each be dated and shall each contain the written signature of the subdivider. The Planning Director, before accepting same, shall determine whether or not there has been full compliance with the provisions of this article. If so, he shall note on the face of each "Accepted for Consideration by City Planning Commission – date _____". If not, he shall return the same immediately to the subdivider listing the deficiencies in writing.

Section 6.04. Review of Preliminary Plat. After acceptance by the Commission, the Planning Director and City Engineer shall review each preliminary plat for conformance with all ordinances, rules and regulations pertaining thereto, and with the objectives of the Master Plan in mind, shall each respectively prepare and submit their written recommendations to the Commission before the time established for the public hearing on the preliminary plat.

Section 6.05. Public Hearing Before Tentative Approval; Notice. Any preliminary plat submitted to the Commission for tentative approval shall contain the name and address of a person to whom notice of hearing shall be sent, and no preliminary plat shall be acted upon by the Commission without affording a hearing as provided in Section 15 of the Planning Commission Act. Notice shall be sent to the said address by certified mail of the time and place of such hearing not less than five (5) days before the date fixed therefore. Similar notice shall be mailed to the owners of land immediately adjoining the land to be platted, as their names appear upon the plats in the County Auditor's office and their addresses appear in the directory of the City, or on the tax records of the City or County, at the discretion of the Commission.

Section 6.06. Tentative Approval of Preliminary Plat. Preliminary plats shall be subject to the tentative approval of the Commission which shall take into consideration the City's requirements and the most appropriate uses of the land.

Particular attention will be given to the standards of design herein provided; the development of public improvements as herein provided; the dedication of open spaces for traffic, utilities, access fire-fighting equipment, recreation, light and air; compliance with the minimum width and area of lots fixed by the Zoning Ordinance of the City and the Subdivision's conformity with and to the existing street plan. The width, location, and arrangements of streets, the dimensions and arrangement of lots, the location of easements and utilities and other features will be studied.

The Commission shall tentatively approve, approve conditionally or disapprove the preliminary plat, in every case by resolution referring to the preliminary plat by name, date, subdivider and location:

- 1) If tentatively approved with the modification or waiver of any of these rules and regulations, the nature and extent of the modification and the reasons therefor shall be stated in the resolution.
- 2) If tentatively approved with conditions, the conditions and the reasons therefor shall be stated in the resolution.
- 3) If disapproved, the reasons for such action shall be stated in the resolution and, if possible, the Commission may also provide the subdivider with a list of the changes necessary to render the plan acceptable to the Commission.

Section 6.07. General Conditions attached to All Tentative Approvals. The tentative approval of a preliminary plat shall in every case be revocable and shall in no case be deemed to constitute either an acceptance or final approval of the proposed subdivision or final plat thereof. The tentative approval of a

preliminary plat shall in every case be subject to the following conditions as fully as if the same were stated in the approving resolution:

- 1) The terms and conditions stated in the approving resolution and the requirements of these rules and regulations.
- 2) The tentative approval shall be valid for a period of one (1) year only from the date of the approving resolution – unless the subdivider applies for and obtains an extension of such period.
- 3) The preliminary plat shall be submitted to and approved by the Council within the effective period of the tentative approval.
- 4) In the event there is a change in the zoning classification of the land sought to be subdivided, the tentative approval shall automatically be deemed null and void as of the effective date of such zoning change.
- 5) In the event the subdivider desires to make changes which the Planning Director determines to be of a minor nature, a revised plan showing the changes must be submitted to and approved by the Commission; and by the Council if the preliminary plat had been approved by that body.

Section 6.08. Evidence of Tentative Approval; Distribution. Preliminary plats tentatively approved shall bear the resolution of the Commission, the written signature of the Chairman and Secretary of the Commission and shall be distributed as follows: one copy retained by the Commission, one forwarded to the City Clerk for filing; one to the Mayor; one to the City Engineer and two (2) copies to the City Council.

Section 6.09. Development Plans for Improvements. If the preliminary plat receives the tentative approval of the Commission, then the subdivider may prepare and submit development plans to the City Engineer and after the approval of same may submit the tentatively approved preliminary plat to the Council for its approval in accordance with the Plat Act, as amended, and Plat Ordinance, as amended.

ARTICLE VII

PROCEDURE FOR APPROVAL OF FINAL PLAT

Section 7.01. Record or Final Plat. The final or record plat shall conform substantially to the preliminary plat as approved by the Commission and City Council and shall be prepared and presented in accordance with the Plat Act, as amended, the Plat Ordinance, as amended, and these regulations. Application for approval of a final plat shall be submitted in writing to the Commission at least

ten (10) days prior to the meeting at which it is to be considered. Five (5) copies of the final plat and other exhibits as required for approval shall be prepared as specified in the subsequent section and shall be submitted to the Commission within two (2) years after the preliminary plat was approved by the City Council.

Section 7.02. Plats and Date for Final Approval.

- a. The final plat shall be prepared as required by the Plat Act, as amended, and shall, additionally, show the following:
 - 1) Primary control points, approved by the Engineering Division, or descriptions and “ties” to such control points to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
 - 2) Tract boundary lines, right-of-way lines of streets, easements and other right-of-ways, and property lines of residential lots and other sites and open spaces, with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves.
 - 3) Name and right-of-way width of each street or other right-of-way to be dedicated for public street purposes.
 - 4) Location, dimension and purpose of any and all easements to be dedicated. Easements at the rear of residential lots shall always be designated, in addition to any other utility purpose for which they may be required, as “surface drainage and sewer purposes”. All easements shall be dedicated to the public and shall be indicated as “Public Easements” on the final plat, adequate easements shall be provided for full service of public utilities to every lot within the subdivision. When determined necessary by the Planning Commission to comply with development objectives in the area, certain easements may be limited to underground utilities only. Land within the limits of natural or other watercourses and their flood plains shall be dedicated “for public purposes and use”.
 - 5) Aerial easements dedicated along all side lot lines for street light drop-outs.
 - 6) Numbers shall identify each lot or site as consecutively as possible with their respective lines and dimensions accurately shown.
 - 7) Purposes for which sites and open spaces, other than residential lots, are dedicated or reserved.

- 8) Minimum building front setback lines on all lots and other sites; all building setback lines shall be shown on corner lots; in accordance with the Zoning Ordinance unless the plat conditions or restrictions provide for greater setbacks.
- 9) Location and description of monuments.
- 10) Reference to recorded subdivision plats of adjoining platted land by record name, liber and page.
- 11) Certification by registered land surveyor or engineer certifying to accuracy of survey or plat.
- 12) Statement of subdivider dedicating streets, right of ways, easements, and open spaces for public uses.
- 13) Title, scale, north arrow and date.

Also accompanying the final plat shall be the following:

- b. A certificate by the City Clerk and/or City Engineer certifying that the subdivider has complied with one or the other of the following alternatives:
 - 1) That all improvements have been installed and completed in accordance with all City requirements; or
 - 2) That a bond, certified check, cash, or other financial assurance approved as to form by the Department of Law, has been posted, which is available to the City, and in a sufficient amount to insure the completion of either all of the improvements or all of the improvements yet to be installed.
- c. Protective restrictions and covenants executed by all subdividers and in a form sufficient to be recorded. Copies of any deed covenants relating to use and maintenance of private areas designated on the plat which may be set aside for common use or control of owners within the subdivision.
- d. A written signed statement indicating the total area in acres of the tract to be subdivided; the net area in lots; the total lot frontage in feet, classified as to (1) residential, (2) commercial, (3) professional, and (4) industrial; the net area in parks and open spaces for recreation and the net area in street right-of-ways.
- e. A written agreement, executed by all subdividers, agreeing to construct and complete all required improvements within the subdivision in the time

and manner provided by the ordinances and regulations of the City of Livonia.

Section 7.03. Review of Final Plat by Planning and Engineering Departments. The Planning Director and City Engineering shall review the final plat and accompanying data for compliance with approved preliminary plat. These rules and regulations, the ordinances of the City and all conditions which may have been attached to the approved preliminary plat by either the Commission or Council. Each shall submit their respective recommendations, in writing, to the Commission before the final plat is acted upon. The Planning Director in his recommendation shall report whether or not all of the documents and data required by this article have been received and whether or not the same is in proper form and order.

Section 7.04. Approval of Final Plat. The Commission shall examine the final plat and changes thereof as may have been required by either the Commission or City Council. The Commission shall either approve, modify if not in accordance with previously required changes, or disapprove the final plat within sixty (60) days after receipt of the final plat and all required exhibits and data. Provided, however, that the applicant for final approval may waive this requirement and consent to an extension of such sixty (60) day period. Approval of a final plat shall be certified on the plat by the secretary pursuant to authorization by the Commission.

The subdivider shall be required to have such final plat approved by the City Council before recording and shall present the final plat to the City Council for its approval in accordance with the Plat Act, as amended, and the Plat Ordinance, as amended.

ARTICLE VIII

PLATTING REGULATIONS AND REQUIREMENTS

Section 8.01. Conformity with Statutes, Ordinances, Resolutions and Commission Regulations. No subdivision or plat shall be approved by the Commission unless the name is in conformance with the Statutes of the State of Michigan, the Ordinances of the City of Livonia, the Master Plan of the City of Livonia, as adopted by the Commission, the resolutions of the City Council and Commission, and these Subdivision Regulations.

Section 8.02. Prohibition. No subdivider proposing to subdivide property within the City of Livonia shall enter into any contracts for the sale of, or offer to sell such proposed subdivision, or any part thereof, unless and until the final plats thereof have been properly and finally approved by both the Commission and City Council, nor shall any subdivider proceed with any construction work to any extent whatsoever, including grading or soil removal, unless and until the

preliminary plat has received the proper tentative approval of the Commission and approval of the City Council.

ARTICLE IX

DESIGN STANDARDS

Section 9.01. Design Standards for Streets. Design standards for streets in all proposed subdivisions shall conform to the following:

(a) Relation to Adjoining Street System. The arrangement, character, extent, width, grade and location of all streets in a proposed subdivision shall conform to the City of Livonia Master Thoroughfare Plan and these regulations. All such streets shall be related to existing and proposed streets in the area, topographical conditions, public convenience necessity and safety, and existing and proposed land uses along such streets. All streets shall be platted in such a manner that all resulting lots shall conform to the applicable zoning regulations. Where, such streets are not shown on the Master Thoroughfare Plan, the arrangements of these streets in the subdivision shall either (1) provide for the continuation or appropriate projection of existing streets in the surrounding areas; or (2) conform to a neighborhood plan approved or adopted by the Planning Commission. Minor streets shall be laid out so as to discourage through traffic. Where the plat submitted covers only a part of the subdividers tract, a sketch of a proposed future street system of the unsubmitted part shall be considered in the light of adjustments and connections with the street system of the part not submitted. In general, streets shall extend to the boundary of the subdivision to provide for the proper access to the adjoining property and provide for the proper connection with the street system of adjoining land. Minor streets shall be laid out so as to discourage through traffic.

(b) Access to Property. Each residential lot within a subdivision shall be provided with a satisfactory means of access. Building permits shall not be issued for the construction of buildings which do not have access on a public street. There shall be no reserve strips controlling or limiting access to a street, except where the control of such strips is definitely placed with the Council.

(c) Large Allotments. Where the parcel is subdivided into larger tracts than for building lots, the platting shall not be such as to stop the opening of major streets and the extension of adjacent minor streets, which in the judgment of the Commission should ultimately be opened and extended.

(d) Street Intersections. Streets shall be required to intersect each other at as nearly right angles as practicable. Streets converging at one point shall be reduced to the least practicable number.

(e) Streets in Relation to Railroads. Whenever a subdivision is to be laid out adjacent to a railroad right of way, a street shall be placed parallel to the railroad. The intersection of the center line of the parallel street with that of any street which crosses the railroad shall not be less than four hundred (400) feet from the line of the railroad right of way.

(f) Dedication of Half-streets. The dedication or improvement of half-streets shall not be permitted except that where a subdivision adjoins undeveloped property, the Commission and Council may authorize the dedication and improvement of the half-street by resolution and then only in such cases where it determines that such an improvement will not be a serious detriment to the surrounding area. In no case, however shall lots facing a one-half residential street be permitted. Wherever there already exists a dedicated and recorded half street or alley on an adjoining recorded plat, the proposed plat must in every case indicate that the remaining half-street will be dedicated to make the street complete.

(g) Dead-End Streets. Dead-end streets will not be approved if they exceed four hundred (400) feet in length. Every permanently dead-end street shall be of such width at the closed end as will permit a turning radius of not less than sixty (60) feet. However, under specific existing conditions, where topographic conditions indicate a hardship would be caused if this requirement were strictly enforced and where an exception to this regulation might serve the best interests of the City, the Commission may allow an extension of a dead-end street up to a total length of not more than six hundred (600) feet.

(h) Building Lines and Set Back Lines. Building lines shall conform to the minimum requirements of the Zoning Ordinance and the Master Thoroughfare Plan.

(i) Street Widths. The width for major streets shall conform to the width designated on the Master Thoroughfare Plan. The minimum width for minor streets shall be sixty (60) feet; for half-mile roads shall be eighty-six (86) feet; for mile roads shall be one hundred twenty (120) feet; and for marginal access streets twenty (20) feet in width; for expressways two hundred four (204) feet.

(j) Street Grades. Profiles may be required on all streets at the discretion of the Commission. The minimum grade allowed shall be 0.4% for concrete surfaces and for all other street surfaces the minimum grade

shall not be less than 0.5% or as otherwise approved by the City Engineer.

(k) Corner Radii. Curb corners shall be rounded with a radius of not less than twenty (20) feet. Intersections where the interior angle is less than sixty (60) degrees shall have the curb corners rounded with at least a thirty (30) foot radius and when the interior angle is less than one hundred thirty-five (135) degrees it is recommended that the corner be rounded with a minimum radius of ten (10) feet. Property lines at such corners shall be rounded or otherwise set back sufficiently to permit such construction.

(l) Access to Streets Across Ditches. Subdividers shall provide access to all proposed streets across watercourses or ditches in a manner approved by the City Engineer.

(m) Street and Subdivision Names. All proposed streets obviously in alignment with other already existing and named, must bear the same name. New street names shall not duplicate existing street names and all names must be approved by the Engineering Department. Duplication of proposed subdivision names, with the names of those already existing, will not be permitted.

(n) Marginal Access Streets. Where a subdivision abuts or contains an existing or proposed major thoroughfare or arterial street, the Planning Commission may require either (1) marginal access streets adjacent to such major thoroughfares and in front of the lots facing such major street; or (2) reverse frontage of lots abutting the major thoroughfare with screen planting contained in a non-access reservation along the rear property line of such lots; or (3) deeper lots with normal or reverse frontage and with either rear service alleys or screen planting, or (4) a combination of the foregoing or such other treatment as may be necessary for the adequate protection and stabilization of residential properties, the lessening of traffic congestion and hazards and to afford separation of through and local traffic. A major street or thoroughfare, for the purposes of this section, shall be any road or way having an existing or planned width or one hundred twenty (120) feet or more as shown on the Master Thoroughfare Plan.

(o) Cul-de-sacs. Cul-de-sacs, designed to be so permanently, shall not be longer than six hundred (600) feet and shall be provided at the closed end with a turn around having an outside diameter of at least one hundred twenty (120) feet. The right of way width of the straight position of the street shall be not less than sixty (60) feet in width. The property line at the intersection of the turn-around and the straight position of the street shall be rounded at a radius of not less than twenty (20) feet.

Section 9.02. Design Standards for Alleys. Design standards for alleys in all proposed subdivisions shall conform to the following:

- (a) Alleys having a minimum width of twenty (20) feet will be required in the rear of all local business and commercial lots.
- (b) A diagonal cutoff shall be made at all acute and right-angle intersections or alleys sufficient to provide an inside turning radius of thirty (30) feet.
- (c) At the intersection of alley lines with street lines, a corner cutoff line shall be provided between points established by measuring a distance of five (5) feet in both directions along the alley line and the street line from the point of their intersection.

Section 9.03. Design Standards for Easements. Design standards for easements in all proposed subdivisions shall conform to the following:

- (a) Surface easements of not less than six (6) feet in width shall be provided on each side of rear residential lot lines and of side lot lines where necessary for utilities and shall be noted on the preliminary and record plat. These easements should be direct and continuous from block to block. Easements of greater width may be required along natural watercourses and channels, such easements to conform substantially with the lines of such natural waterways. Easements as above required, shall also be required on commercial lots where alleys are not provided.
- (b) Aerial easements three (3) feet in width shall be provided along all side lot lines in proposed subdivisions to provide street light drop-outs for the Detroit Edison Company. Prior to the approval of the final plat for a proposed subdivision (1) a deed of dedication shall be transmitted to the Detroit Edison Company granting it the right to use said easement for street light purposes only, and (2) a notation shall be stated on the final plat as follows: "All side lot lines are subject to street light drop-out rights granted to the Detroit Edison Company".

Section 9.04. Design Standards for Monuments. Monuments shall conform to and shall be placed as required by the Platting Act.

Section 9.05. Design Standards for Blocks. Residential blocks shall not be less than two hundred (200) feet wide, and they shall not be less than six hundred (600) feet long nor more than one-quarter (1/4) mile in length; provided, however, that where unusual conditions exist, the Commission may vary this requirement, in whole or in part. Business, commercial and industrial blocks shall not be less than two hundred eighty (280) feet in width and in length.

Section 9.06. Design Standards for Pedestrian Crosswalks. Design standards for pedestrian crosswalks in all proposed subdivisions shall conform to the following:

(a) Pedestrian crosswalks, not less than ten (10) feet wide, shall be required when deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

(b) In any residential block which is more than eight hundred (800) feet long, such a pedestrian crosswalk shall be provided and improved as a sidewalk near the center of the block in all cases where necessary to provide direct circulation to schools, parks, churches, or public transportation sites.

(c) In any business, commercial, or industrial block which is more than two hundred eighty (280) feet in length, such a pedestrian crosswalk improved as a sidewalk shall be provided in the center of the block.

(d) The requirements of subsections (b) and (c) may be waived by the Commission upon a showing that the requirement in a particular case is unnecessary.

Section 9.07. Design Standards for Sidewalks. Design standards for sidewalks in all proposed subdivisions shall conform to the following:

Sidewalks shall be located in front of all lots and in front of and alongside of all corner lots for the full width and length of the lot. Sidewalks shall be four (4) feet in width and located at a point beginning one (1) foot outside of the property line. Sidewalks may not be required where all lots in a particular subdivision are at least one hundred (100) feet in width along the front lot line and at least fifteen thousand (15,000) square feet in area, or as otherwise provided in the plat ordinance.

Section 9.08. Design Standards for Lots. Design standards for all lots in proposed subdivisions shall conform to the following:

(a) The lot size, width, depth, shape, and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

(b) The dimensions of each and every lot shall in all respects conform to the requirements of the Zoning Ordinance, as amended, at the time the proposed plat is approved by the City Council.

(c) LOT LINES. All side lot lines should be at right angles to straight street lines, or radial to curved street lines, unless a variation from this rule will give a better street lot plan.

(d) LOTS WITH DOUBLE FRONTAGE. Lots with double frontage shall be avoided, but if provided, the corner lots must have sufficient depth so that a reasonable front yard may be provided on both street frontages to protect similar frontages on adjacent lots in each direction.

(e) CORNER LOTS. Corner lots shall have extra width at least sufficient to permit the maintenance of building lines on both front and side. In normal cases, the width required shall not be less than the amount of the established building line on the side street, plus the irreducible buildable width and such yard requirements as are provided for by the Zoning Ordinance.

(f) Every lot within a subdivision shall have easy, convenient and satisfactory access to a public street.

Section 9.09. Design Standards for Open Spaces. Design standards for all open spaces in proposed subdivisions shall conform to the following:

(a) Due consideration shall be given by the subdivider and the Commission to the dedication of a suitable and conveniently situated open space for recreation; such an open space shall conform as nearly as possible to the Master Plan of the City.

(b) An open space for recreation shall be provided for and dedicated to the City, except as hereinafter provided, in all subdivisions; such open space shall have a total net area equal to at least seven hundred twenty (720) square feet for each residential lot in the subdivision.

(c) Where a proposed park or playground, school or other public use shown on the Master Plan, or an existing school site is located in whole or in part in a subdivision, then in such case the open space shall be located within the designated area or immediately adjacent to the existing public use.

(d) Notwithstanding the above, no open space shall be required to be dedicated within any subdivision where all of the lots are at least one hundred (100) feet in width at the front lot line and fifteen thousand (15,000) square feet in area.

(e) Where the subdivider finds a practical difficulty, or extraordinary hardship may result from strict compliance with this open-space requirement resulting from either the topography, size, or shape of his

land, he may in such cases submit an alternative proposal, or proposals, in writing, to the Commission which he believes will secure substantially the objectives of the open-space requirement and ask that such alternative proposal be accepted in lieu of the open-space requirement. The Commission shall give due consideration to any such alternative proposal and if it finds the same satisfactory it may accept the same and waive the open-space requirement.

Section 9.10. Design Standards for Protective Wall. Design standards for all protective walls in proposed subdivisions shall conform to the following:

(a) Where any residential lots within the subdivision will adjoin, abut, or are contiguous to any property which is either used or zoned for commercial, professional, parking, or industrial uses, the subdivider shall provide a continuous, unpierced and reinforced poured concrete, hardburned brick “flexicore type” or masonry wall (not cinder block), approved for construction by the Engineering Division of the Department of Public Works. Such wall shall be for the purposes, and shall be located, designed and constructed as provided for and required by the Plat Ordinance, as amended.

Section 9.11. Design Standards for Off-Street Parking. Design standards for off-street parking in proposed subdivisions shall conform to the following:

(a) Residential Lots. The plat shall show that all provisions of the Zoning Ordinance, as amended, pertaining to off-street parking can and will be complied with satisfactorily.

(b) Commercial Lots. In no case shall the amount of space reserved for off-street parking be less than four times the area allowed for the floor area of a commercial building.

Section 9.12. Design Standards for Use, Area or Bulk Requirements or Restrictions of Buildings and Premises. Design standards for these shall be as follows:

(a) The proposed use, height, area or bulk requirements or restrictions governing buildings and premises within the subdivision shall be shown, and the Commission may require such requirements or restrictions as appear to be suitable to the needs created by such development provided such requirements or restrictions do not authorize a violation of the Zoning Ordinance, as amended.

ARTICLE X

IMPROVEMENTS

Section 10.01. Installation and Financing. Water mains, sanitary sewers, storm sewers, pavement, curbs and gutters, sidewalks, pedestrian crosswalks, boulevards, marginal access streets, and other required improvements shall be constructed and installed by and at the sole expense of the subdivider before final plat approval and to the full extent and in the manner required by the Plat Ordinance, as amended, the resolutions of the City Council, the approved development plans, and the rules, regulations, plans and specifications of the Department of Public Works and Engineering Division.

Section 10.02. Financial Assurances. In lieu of constructing all required improvements before final plat approval, the subdivider may deposit with the City of Livonia, prior to the approval of the final plat, the financial assurances as provided in the Plat Act, as amended, the Plat Ordinance, as amended, and the resolution of the City Council approving the preliminary plat, sufficient to cover the cost, as estimated by the Department, of the required improvements and guaranteeing the satisfactory construction of all improvements within the period fixed by the City Council.

Section 10.03. Agreement to Construct. The subdivider shall in every case before the approval of a final plat enter into an agreement with the City agreeing to construct all required improvements within the period fixed by the City Council and agreeing that the subdivider will not apply for and may not be issued any building permits for any structure upon any lot within said subdivision until all required improvements have been constructed or completed. This agreement shall be executed by the subdivider, prepared in recordable form as a deed restriction, and shall be made a part of all deeds or contracts for any lot within the subdivision.

ARTICLE XI

VARIANCES

Section 11.01. Variances; Hardship. Where the Commission finds that extraordinary hardships may result from strict compliance with these regulations, it may vary or waive design requirements so that substantial equity may be done and the public interest secured; provided, however, no variance shall be granted which would have the effect of either nullifying or avoiding the intent, purpose or objectives to be accomplished by either these regulations or the Master Plan.

Section 11.02. Variances; Conditions. In granting variances, modifications or waivers, the Commission may require or impose additional conditions, or accept alternate proposals submitted by the subdivider in lieu of

the particular requirement, as well, in its judgment, secure substantially the objectives of the standards of requirements so varied, modified, or waived.

ARTICLE XII

MISCELLANEOUS

Section 12.01. Compliance; Conflict. Compliance with these Subdivision Regulations shall be prerequisite to the approval by the Commission of any plat or subdivision, except insofar as such regulations may be in conflict with any applicable State law or any applicable provision or provisions of the City Charter or City Ordinances.

Section 12.02. Severability. In the event any portion of these regulations is held invalid for any reasons by a Court of competent jurisdiction, then such holding shall not affect the remaining portion of these regulations.

Section 12.03. Application of These Subdivision Rules and Regulations. The terms and provisions of these subdivision rules and regulations shall apply only to preliminary plats and the final plats thereof filed with the City on or after the effective date of this Ordinance.

Section 12.04. Repeal. All subdivisions and regulations heretofore adopted are repealed only to the extent necessary to give these subdivision rules and regulations full force and effect; provided, however, that such repeal shall not affect any preliminary plat or the final plat thereof which has obtained tentative approval under the subdivision regulations herein repealed.

Section 12.05. Effective Date. These regulations shall become effective immediately upon publication.

The above regulations were duly adopted at a meeting of the City Planning Commission of the City of Livonia held March 3, 1964, after proper notice and public hearing on February 18, 1964.

Approved: