TYRONE TOWNSHIP BOARD & PLANNING COMMISSION
JOINT MEETING AGENDA
November 14, 2018 7:00 p.m.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

APPROVAL OF THE AGENDA:

NEW BUSINESS:
1) Zoning Administrator’s Report
2) MMMA Ordinance Discussion
3) Land Division/Boundary Realignment Approval Procedures
4) PC Action List Update
5) Master Plan Update Discussion

ADJOURNMENT:
## APPLICATION FOR LAND DIVISION

<table>
<thead>
<tr>
<th>Parcel Identification Number(s):</th>
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<tr>
<th>Property Address:</th>
<th>Zoning of Parcel(s):</th>
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<tr>
<th>□ Metes &amp; Bounds</th>
<th>□ Platted Lots of Record</th>
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### Application Request Date:

<table>
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<tr>
<th>□ Combination</th>
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<table>
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<tr>
<th>□ Boundary Realignment</th>
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| □ Land Division | $ |

**Total:** $

### Description of Request:

<table>
<thead>
<tr>
<th>OWNER INFORMATION (MUST HAVE LEGAL INTEREST IN PROPERTY)</th>
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<tbody>
<tr>
<td>Company Name</td>
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<td>Last Name</td>
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<td>First</td>
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<td>M.I.</td>
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### APPLICANT INFORMATION (IF OTHER THAN OWNER)

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<th>APPLICANT INFORMATION (IF OTHER THAN OWNER)</th>
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<td>City</td>
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<td>State</td>
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<tr>
<td>Zip</td>
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<tr>
<td>Own the Property? □ Yes □ No</td>
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<tr>
<td>Purchase Agreement? □ Yes (Attach) □ No</td>
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<td>Signature of Owner</td>
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## SURVEYOR/ENGINEER INFORMATION

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For a list of the requirements, please refer to the Tyrone Township Land Division Ordinance available on the Township website at www.tyronetownship.us and at the Township Planning Department. Land Use Permits will not be issued for parcels that do not have public/private road, shared driveway access, or private access easement constructed in accordance with the Tyrone Township Zoning Ordinance.

**APPLICANT SIGNATURE**

The applicant acknowledges that he/she has the sole responsibility of complying with the requirements of any applicable Tyrone Township Ordinances notwithstanding the signature or approval of any employee(s) or official(s) of Tyrone Township and that Tyrone Township is not bound to recognize the approval of other action of any employee(s) or official(s) which is not in compliance with any applicable Tyrone Township Ordinances.

Land Division approval does not guarantee that resulting parcels meet or conform to all applicable Township Ordinances and does not include representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights. The owner further acknowledges that all the information provided in this application are true and accurate to the best of the owner's knowledge. The owner authorizes the Township and/or its representatives to do a site inspection.

Approved surveys must be recorded with the County within thirty (30) days of Township approval, unless a written extension is provided by the Township. Only the survey stamped APPROVED by the Township shall be recorded with the County. Tax identification numbers will not be assigned to a parcel until documentation of recording has been provided to the Township Assessor.

Furthermore, I understand that even if this division is approved, zoning, local ordinances and State Acts change from time to time, and if changed the division(s) made here must comply with the new requirements unless, deeds, land contracts, leases or surveys representing the approved division(s) are recorded with the Register of Deeds or the division is built upon before the changes to laws are made.

**Signature of Owner:** ___________________________ **Date:** ______________

**Assessing**

- Divisions are Available:
  - [ ] Yes [ ] No
- # of Divisions Available _________
- Accurate Survey:
  - [ ] Yes [ ] No
- Accurate Legal Descriptions [ ] Yes [ ] No
- Year child parcels active on Tax Roll
  _________
- Assessor: ________________
- Date: ________

**Planning & Zoning**

- Site Inspection Complete:
  - [ ] Yes [ ] No Date: __________
- Access Requirements Met:
  - [ ] Yes [ ] No
- Dimensional Requirements Met:
  - [ ] Yes [ ] No
- Sewer Connection Required:
  - [ ] Yes [ ] No
- Required REU's: __________
- Planning: ________________
- Date: ________

**Treasury**

- Taxes Paid to Date
  - [ ] Yes [ ] No Amount Owed $________
- Special Assessment District:
  _________
- This application is valid when signed by the Treasurer's Office confirming payment of fees as noted.
- Receipt Number: ____________
- Treasurer: ________________
- Date: __________

**Amendment to Application**

The Township must approve or disapprove an application within 45 days after filing a complete application for the proposed division. If the property owner wishes to extend the 45 day requirement and amend the application date, they shall provide a letter requesting the amendment or sign the original application. The Township will process the application within 45 days of the date the amendment is submitted.

**Signature of Owner:** ___________________________________________ **Date:** _______________________
TOWNSHIP OF TYRONE, LIVINGSTON COUNTY, MICHIGAN

ORDINANCE NO. 25,

TYRONE TOWNSHIP LAND DIVISION ORDINANCE DRAFT

An ordinance to regulate partitioning or division of parcels or tracts of land enacted pursuant but not limited to the State Land Division Act, being Michigan Public Act 288 of 1967, as amended, Michigan Public Act 591 of 1996, as amended, and Michigan Public Act 246 of 1945, as amended; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this Ordinance.

TYRONE TOWNSHIP ORDAINS:

ARTICLE 1. TITLE

This Ordinance shall be known and cited as the “Tyrone Township Land Division Ordinance.”

ARTICLE 2. PURPOSE

The purpose of this Ordinance is to carry out the provisions of the Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to provide for and maintain an orderly development of the Township, and to ensure the health, safety, and welfare of the residents and property owners within Tyrone Township.

ARTICLE 3. APPLICABILITY

This ordinance applies to all division of lands or property located in the Township, including boundary realignments. For parcels that are to be platted, the non-conflicting portions of this ordinance and all the requirements of the Tyrone Township Subdivision Ordinance, as amended, shall apply. Unit lots in condominiums are subject to Township Condominium regulations within the Zoning Ordinance.
Parcels that are developed along a private road or shared driveway shall also apply the appropriate provisions of the Tyrone Township Zoning Ordinance.

ARTICLE 4. DEFINITIONS

For purposes of this Ordinance, certain terms and words used herein shall have the meaning set forth herein. Additionally, where terms and words are set forth in the Land Division Act, those terms and words shall have the definitions ascribed to them in the Land Division Act, except as set forth within this section.

A. “ACCESS EASEMENT”- shall mean an easement across private land granted to provide access to other land and that does not meet the definitions of a private road or shared private driveway.

B. “ASSESSOR”- shall mean the Tyrone Township Assessor.

C. "APPLICANT" - shall mean any person, firm, association, partnership, corporation, legal entity, or combination of any of them, which holds the fee title and equitable interest in the land whether or not of record, who seek approval to divide the land pursuant to this ordinance.

D. “BOUNDARY REALIGNMENT”- shall mean a formal action to relocate the Property line between two (2) or more parcels that does not result in the creation of additional parcel(s).

E. “COMPLETE APPLICATION”- See the requirements listed in Article Six – Procedure for Complete Boundary Realignment Applications and Complete Land Division Applications.
F. "DIVIDE" OR "DIVISION" – shall mean the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purpose of sale or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Section 108 and 109 of the Land Division Act. "Divide" or "Division" does not include a property transfer between two or more adjacent parcels if the property taken from one parcel is added to an adjacent parcel; and any resulting parcels shall not be considered a building site unless the parcel conforms to the requirements of the Land Division Act and this Ordinance.

G. "EXEMPT SPLIT" OR "EXEMPT DIVISION" – shall mean the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his or her heirs, executors, administrators, legal representatives, successors or assigns, that does not result in one or more parcels of less than 40 acres or the equivalent.

H. "FORTY ACRES OR THE EQUIVALENT" – shall mean either 40 acres, a quarter-quarter section containing not less than 30 acres, or a government lot containing not less than 30 acres.

I. "GOVERNING BODY" – shall mean the Township Board of Tyrone Township, Livingston County, Michigan.

J. “LAND”– All land areas occupied by real property.
K. **“LAND DIVISION ACT”**- shall refer to the State of Michigan Public Act 288 of 1967 as amended [MCL 560.101 to 560.293]

L. **“LOT”**- shall mean a parcel of land or platted lot, occupied, or intended to be occupied, by a main building or a group of such buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this ordinance. A lot may or may not be specifically designated as such on public records.

M. **“LOT AREA, GROSS”**- shall mean the total horizontal area within the lot lines of a lot.

N. **“LOT AREA, NET”**- shall mean the total horizontal area within the lot lines of a lot exclusive of all private and public road easements or rights-of-way.

O. **“LOT AREA, DEVELOPABLE”**- shall mean the net lot area not intended to be included as open space as described in Section 21.51 of the Township Zoning Ordinance.

P. **“LOT DEPTH”**- shall mean the horizontal distance between the front and rear lot lines, measured along the midpoint between the side lot lines.

Q. **“LOT WIDTH”**- shall mean the horizontal distance between side lot lines, measured parallel to the front lot line at the minimum required front setback. For irregularly shaped lots with access easements or flag lots connecting to a public street, lot width shall be measured at the point where the narrow access appendage connects to the main body of the parcel. (Methods for measuring lot widths are provided in Section 20.02 of the Zoning Ordinance.)

R. **“PARCELS”**- shall mean a continuous area or acreage of land which can be described as provided for in this ordinance and is not included in a subdivision as regulated by
the State Land Division Act nor included in a condominium as regulated by the State Condominium Act.

S. “PLANNING COMMISSION”- shall mean the Tyrone Township Planning Commission.

T. “PLAT”- shall mean a map or chart approved for the division of land pursuant to the Land Division Act of 1967, as amended.

U. “PRIVATE ROAD”- shall mean any road which is to be privately maintained and has not been accepted for maintenance by the Tyrone Township, Livingston County, the State of Michigan or the federal government, but which meets the requirement of these Zoning Regulations or has been approved as a private road by the Township under prior ordinances.

V. “PUBLIC ROAD”- shall mean an open way for passage or travel under public ownership and maintained at a cost to the public. Public road and public street are synonymous terms.

W. “SHARED PRIVATE DRIVEWAY”- shall mean a driveway that provides access to a maximum of four (4) single family lots, site condominium units or non-residential principal buildings, provided that it is not more than 1,200 feet in length. For the purposes of the definitions within this Zoning Ordinance, shared private driveways shall not be considered “streets”.

X. "TOWNSHIP" – shall mean the Township of Tyrone, Livingston County, Michigan.

Y. “TRACT”- shall mean two or more parcels that share a common property line and are under the same ownership.
Z. “ZONING ADMINISTRATOR” – shall mean the official of Tyrone Township or authorized representative charged with the responsibility of administering this Ordinance.

ARTICLE 5. EXEMPTION DIVISIONS

Land in the Township shall not be divided without the prior review and approval of the Township Assessor and the Zoning Administrator or other official designated by the Township Board, in accordance with this Ordinance and the Land Division Act; provided that the following shall be exempted from this requirement.

A. A parcel proposed for subdivision through a recorded plat pursuant to the Land Division Act.

B. A lot in a recorded plat proposed to be divided in accordance with the Land Division Act and any applicable Tyrone Township ordinance.

C. An exempt split as defined in this Ordinance, or other partitioning or splitting that only results in parcels of twenty (20) acres or more where each parcel is not accessible (as defined in the State Land Division Act) and either the parcel was in existence on March 31, 1997, or resulted from exempt splitting under the State Land Division Act.

ARTICLE 6. PROCEDURE

Sec 1. FILING

A. The applicant shall be the owner of the property or an authorized representative and shall state the type of property ownership (fee simple, mortgage, land contract).

B. The applicant shall submit the number of complete and accurate applications and attachments as required by the Planning Department and Assessor to the Zoning
Administrator with the appropriate fees and charges as established by the Township Board.

Sec. 2. **BOUNDARY REALIGNMENT APPLICATION REQUIREMENTS**

The Planning Department, at its sole discretion, may provide a preliminary review of a potential boundary realignment based upon a scaled site drawing of the proposed realignment. The information required to be submitted for a preliminary review is listed in Section 4.A below. For a final review of a boundary realignment, a complete application shall be submitted that is substantially accurate and contains all of the information required for preliminary review as well as items 1 through 3 listed in Section 4.B below for final review. Some items required above for preliminary or final review may not be applicable, as determined by the Planning Department.

Sec. 3. **BOUNDARY REALIGNMENT REQUIREMENTS**

In no case shall any provision of this ordinance, other applicable Tyrone Township ordinances nor the laws of the State of Michigan, be violated. Where more than one regulation applies to the same aspect, the most restrictive shall be enforced.

A. The plan for the boundary realignment shall follow the requirements of Act 288 of 1967, as amended (MCLA 560.101, et seq.) and the Tyrone Township Zoning Ordinance, as amended. The Planning Department and Assessor shall review the plan for compliance with:

1. The Schedule of Regulations for existing and newly created parcels.

2. The minimum width and the maximum depth to width ratio of 4:1. (For example, 200 ft. wide and not more than 800 ft. long.). Notwithstanding, a depth to width ratio greater than 4:1 may be permitted if the resulting parcel(s) exhibits exceptional topographic or physical conditions such as wetlands, woodlands, and/or steep slopes, or is consistent with the land development pattern of the surrounding area, or other extraordinary circumstances exist, in the determination of the Township Board. Further, the maximum 4:1 depth to width ratio shall not apply to parcels larger than 10 acres, nor shall it apply to the remainder of the parent parcel or parent tract retained by the proprietor. In the event the Township Zoning Ordinance specifies a depth to width ratio for a
particular area which differs from that set forth within this subsection, the ratio contained in the Zoning Ordinance shall control.

B. If the request is made by an agent for an owner, the agreement or authorization for acting on behalf of the owner shall be stated on the application.

C. Boundary Realignments shall follow the approval procedures as described below for land divisions in Article Six.

Sec 4. LAND DIVISION APPLICATION REQUIREMENTS

The Planning Department, at its sole discretion, may provide a preliminary review of a potential land division based upon a scaled site drawing. However, a boundary survey is required for a complete application and final review. A complete application shall be substantially accurate and contain all of the items required below, unless specifically exempted by the Planning Department.

A. Preliminary Review Requirements. Prior to submitting a complete application and beginning final review, an applicant may elect to submit an application for concept review by the Planning Department. To undergo preliminary review, the following items must be submitted:

1. **Proof of Ownership.** Proof of ownership of the subject property, proof that tax payments are current, and the original survey and legal description, if available.

2. **Site Drawing.** Scaled site drawing of the proposed land division showing existing and proposed boundary alignments.

3. **Date, North Arrow and Scale.** The drawing shall include the name of the preparer, the date of the drawing, and a north arrow. The scale shall be not less than one inch equals twenty feet (1" = 20') for property under three (3) acres, and at least one inch equals one hundred feet (1" = 100') for sites three (3) acres or more. For sites greater than three (3) acres, site plan details at a scale of not less than one inch equals twenty feet (1" = 20') may be required.

4. **Legal Description.** Each proposed parcel and the remainder parcel shall have a separate legal description. This shall also include appropriate descriptions for open space locations and descriptions of private road, shared driveway and public utility easements located within parcels. All private road or shared driveway easements should include a public utility easement reference.
5. **Property Lines.** All existing and proposed property lines are to be shown and properly dimensioned including building setback lines that define potential building envelopes.

6. **Existing Structures and Easements.** The location of all existing structures, utility, or access easements on the property and within fifty (50) feet of the property boundary lines on adjacent property shall be shown.

7. **Wetlands and Natural Features.** If wetland conditions are known or suspected to exist within dedicated open space or building envelopes, a determination shall be made of the location and limits of such wetlands. Other significant natural features worthy of preservation should be referenced on the site drawing.

8. **Open Space.** All dedicated open space areas shall be clearly identified and dimensioned on the site drawings. A calculation chart showing the amount and location of the open space shall be provided as part of the site drawing.

9. **Proposed Access.** The location and dimensions of all existing and proposed roads and shared drives shall be shown.

10. **Data on Abutting Roads, Etc.** The pavement width and right-of-way width of all existing or proposed abutting private or public roads or shared driveways shall be located on the site drawing.

11. **Easements.** The location of utility and/or shared driveway or private road easements should be dimensioned and labeled. Detailed drawings of access easements may be required for a complete application at the discretion of the Planning Department.

12. **Drainage.** The location and size of all existing and proposed surface water drainage features including public and private easements.

13. **Contour Intervals.** Topographic contours shall be shown on the most recent aerial photo at not more than five (5) foot intervals, referenced to U.S.G.S datum including the U.S.G.S benchmark.

14. **Documents.** Copies of any required County or State agency reviews shall be provided. If applicable, deed restrictions or maintenance agreements for shared driveways or roads shall be provided.
**B. Complete Application Requirements.** To be considered a complete application and to begin the review process, the applicant must submit all of the items listed above plus the following:

1. **Survey.** A boundary survey with legal description(s) for all parcel(s), (including the existing parcel reminder), easement(s) and open space(s).

2. **Licensed Professional Seal Required.** Surveys shall contain the physical or electronic seal and signature, in accordance with Michigan P.A. 178 of 2013, as amended, of a Professional Engineer or Surveyor licensed by the State of Michigan and in good standing.

3. **Other Approvals.** All other County, State or Agency approvals required for the proposed land division shall be obtained and evidence of such approval submitted with the application for review.

4. **Proof of Tax Payment.** Proof that all taxes have been paid in full.

5. **Recordable Agreements.** All required documents and agreements shall be prepared and submitted in final recordable form.

**Sec. 5. LAND DIVISION APPROVAL REQUIREMENTS**

In no case shall any provision of this ordinance, other applicable Tyrone Township ordinances nor the laws of the State of Michigan be violated. Where more than one regulation applies to the same aspect, the most restrictive shall be enforced.

**A. Plan for Dividing Land.** The Plan for dividing land shall follow the requirements of Act 288 of 1967, as amended (MCLA 560.101 et seq.) and the Township Zoning Ordinance, as amended. The Planning Department and Assessor shall review the plan for compliance with:

1. Authorization to view property.
2. Proof of tax status.
3. Adequate and accurate legal description.
4. Schedule of Regulations on existing and newly created parcels.
5. Scaled parcel map requirements for dimensions (including lot width) and gross and net parcel area.
6. Minimum width and the maximum depth to width ratio of 4:1. (For example, 200 ft. wide and not more than 800 ft. long.). Notwithstanding, a depth to width ratio greater than 4:1 may be permitted if the resulting parcel(s) exhibits exceptional topographic or physical conditions such as wetlands, woodlands, and/or steep slopes, or is consistent with the land development pattern of the surrounding area, or other extraordinary
circumstances exist, in the determination of the Township Board. Further, the maximum 4:1 depth to width ratio shall not apply to parcels larger than 10 acres, nor shall it apply to the remainder of the parent parcel or parent tract retained by the proprietor. In the event the Township Zoning Ordinance specifies a depth to width ratio for a particular area which differs from that set forth within this subsection, the ratio contained in the Zoning Ordinance shall control.

7. Indication of significant natural features or topography.

8. Proof of access.

9. Public, private, and shared driveway access requirements.

10. Open space requirements.

B. Subject Regulations. The plan for dividing land shall be subject to the regulations stated in the Land Division Act (MCLA 560.101, et seq.)

C. Roads or Driveways. If the land split includes the establishment of a public road, private road, shared driveway, or new single use driveway, approval by the Township is contingent on the approval of the Livingston County Road Commission (LCRC) for access to a public roadway. Approval of the access location will be required as part of a complete application. As this may prolong the review process, it is recommended that applications requiring this approval waive the 45-day approval deadline as required in Article Six, Section 1 of this Ordinance.

D. Concurrent Review. For land divisions requiring approval of a private road or shared driveway, the application shall be reviewed concurrently, provided the applicant has waived the 45-day review deadline. If not, the private road/shared driveway approval must be obtained first.

E. Agent for the Owner. If the request is made by an agent for the owner, the agreement or authorization for acting on behalf of the owner shall be stated on the application.

F. Register of Deeds. Upon approval of the division, the signed and sealed survey shall be stamped by the Township Clerk as approved by Tyrone Township and recorded with the legal descriptions and recordable documents at the Livingston County Register of Deeds office in accordance with the procedures provided in Article Six.

Sec. 6. FUTURE DIVISION RIGHTS

A. The right to make future land divisions exempt from platting requirements may be transferred from a parent parcel or tract to a parcel created from the parent parcel or tract.
B. A proprietor transferring the right to make a division shall within 45 days give written notice of the transfer to the Township Assessor on a form prescribed by the State Tax Commission under Section 27.c of the General Property Tax Act (1893 PA 206).

C. All plans must indicate on the deed whether the right to make further land division is proposed to be conveyed. The statement shall be in substantially the following form: “The grantor grants to the grantee the right to make [insert number] division(s) under Section 108 of the land division Act, Act Number 288 of the Public Acts of 1967, as amended.” If no statement is provided, the right to make future remaining divisions stays with the parent parcel.

Sec. 7. ACCESS

All parcels created through the procedures of this Ordinance shall abut a public road, approved private road, approved shared driveway, or approved access easement for the required distance according to the Township Zoning Ordinance Schedule of Regulations.

Sec. 8. FINANCIAL GUARANTEE REQUIREMENT

If the application requires modification to the property to meet State, County, or Township requirements such as, but not limited to, drainage easements or driveway access, a financial guarantee may be required by the Township to ensure conformity.

ARTICLE 7. APPLICATION FOR LAND DIVISION APPROVAL

Any Applicant desiring a Division as required by this Ordinance shall file a written application on a form provided by the Township and available through the Planning Department with an application fee, as provided by resolution of the Township Board, that should include the following documentation:

A. Proof of fee ownership of the land proposed to be divided or written consent to the application signed by the fee owner of the land.

B. A tentative parcel map showing the parent parcel or parent tract which is the subject of the application, and the area, parcel lines, public utility easements, and the manner of proposed access for each resulting parcel. A survey shall include:
1. Proposed boundary lines and the dimensions of each parcel;

2. An accurate legal description of the remainder of the parent parcel or parent tract and each resulting parcel;

3. The location, dimensions and nature of proposed ingress to and egress from any existing public or private road or easement;

4. The location of any public or private street, driveway or utility easement to be located within any resulting parcel;

5. The location and dimensions of any existing buildings or other existing land improvements on the parent parcel or parent tract; and

6. The location and accessibility of public utilities.

C. Proof that all standards of the Land Division Act and this Ordinance have been met.

D. If requested by the Assessor or Zoning Administrator, the history and specifications of any previous divisions of land of which the proposed division was a part sufficient to establish the parcel to be divided was lawfully in existence as of March 31, 1997, the effective date of the Land Division Act.

E. If transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transfer.

F. The required fee as may from time to time be established by resolution of the Township Board for land division reviews pursuant to this Ordinance.

SECTION 6. GENERAL PROCEDURES

A. Upon receipt of a complete land division application, the Township shall approve or disapprove the Division within 45 days after receipt of a complete application conforming to the requirements of this Ordinance and the Land Division Act, and shall promptly notify the Applicant in writing of the decision, and if denied, the
reason for denial.

B. Any Applicant aggrieved by the decision of the Assessor and/or Zoning Administrator may, within 30 days of said decision, appeal the decision to the Township Board which shall consider and resolve such appeal by a majority vote of said Board at its next regular meeting or session affording sufficient time for a 20 day written notice to the Applicant of the time and date of said meeting. The Township Board may affirm, modify or reverse the decision of the Assessor and/or Zoning Administrator and its decision shall be final.

C. The Assessor or designee shall maintain an official record of all approved and accomplished land divisions or transfers.

SECTION 7. STANDARDS FOR APPROVAL

A proposed land division shall be approved if the following criteria are met:

A. The proposed land division, including all resulting parcels, complies with all requirements of the Land Division Act and this Ordinance including, but not limited to, accessibility as defined and required by the Township’s zoning or other ordinances or where it is necessary for the protection of the health, safety and general welfare of the public.

B. The ratio of depth to width of any parcel created by the division does not exceed a four (4) to one (1) ratio. A greater depth to width ratio than that required by this subsection may be permitted if the resulting parcel(s) exhibit exceptional topographic or physical conditions such as wetlands, woodlands and/or steep slopes or is consistent with the land development pattern of the surrounding area. The depth to width ratio requirements of this subsection shall also apply to parcels larger than 10 acres but shall not apply to the remainder of the parent parcel or parent tract retained by the
proprietor. In the event that the Township Zoning Ordinance shall specify a depth to width ratio for a particular area which differs from that set forth within this sub-section, the ratio contained in the Township Zoning Ordinance shall control.

C. Each parcel created by the proposed Division(s) shall have the minimum width required by the Township’s Zoning Ordinance for the zoning district in which the resulting parcel(s) is (are) located.

D. Each parcel created by the proposed Division(s) shall have the minimum area required by the Township’s Zoning Ordinance for the zoning district in which the resulting parcel(s) is (are) located.

SECTION 8. LIMITED EFFECT

Approval of a Division is not a determination that the created or resulting parcels comply with other laws, ordinances of the Township or applicable regulations. The Township and its officers and employees shall not be liable for approving a Division if building permits for construction on the parcels are subsequently denied because of inadequate water supply, sewage disposal facilities or otherwise, and any notice of approval shall include a statement to that effect.

SECTION 9. NONCOMPLIANCE

Any parcel created contrary to any provision of this Ordinance or the State Land Division Act shall not be eligible for any building permits or zoning approvals including, but not limited to, special land use approval, site plan approval or land use permit, and shall not be recognized as a separate parcel on the assessment roll. In addition, violation of this Ordinance shall subject the violator to the penalties and enforcement actions set forth in Section 10, Penalties and Enforcement, of this Ordinance, and as may otherwise be provided by law.
SECTION 10. PENALTIES AND ENFORCEMENT

Violations of the provisions of this Ordinance shall constitute a municipal civil infraction. Any person, firm, association, partnership, corporation or entity who is found responsible or admits responsibility for a municipal civil infraction shall be subject to a civil fine and costs. The civil fines are set forth in the Ordinance No. 45, Civil Infractions, as amended, unless otherwise specified. In addition, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation of this Ordinance continues to exist shall constitute a separate violation of this Ordinance. The Township shall be entitled to its costs, including reasonable attorney fees, from any person that has violated or permitted the violation of any provision of this Ordinance.

SECTION 11. VALIDITY AND SEVERABILITY

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

SECTION 12. REPEALER CLAUSE

Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 13. EFFECTIVE DATE

This Ordinance shall take effect after adoption and publication in a newspaper of general circulation in the Township as permitted by law.
Future Planning Commission Items

Regulation Amendments
1. Regulations for Solar Farms (IP, near completion)
2. Article 27: Signs - Review for compliance with SCOTUS decision – Content neutral requirement (IP, near completion)
3. Amendment of MMMA regulations (on hold, pending revised direction)
4. Animal units – keeping of chickens and bees (IP)
5. 5 year master plan review (intent to plan issued)
6. Sight Lines and Building Height Clarifications (IP)
7. Accessory structure standards
8. Alternative building materials
9. Tiny houses
10. Environmental study requirements
11. Cemetery standards (working with LC)
12. Limited lot waivers
13. Noise ordinance (clarifications requested)

Applications
1. Bentley Sand & Gravel
2. Boss Sanctuary at Tyrone Development (concept plan approved 12/19/17, expires 12/19/18)
3. Cider Mill Crossings second entrance