

ARTICLE I - SHORT TITLE

1.00 Short Title. This chapter shall be known and may be cited as the City of Troy Subdivision regulation.

(Rev. 04-29-1969)

ARTICLE II - DEFINITIONS

2.00 Definitions. For the purpose of this chapter, certain terms, words and phrases shall, wherever used in this chapter, have the meaning herewith defined as follows:

Block. Subdivided property surrounded by, but not separated by, one or more of the following barriers: streets, un-subdivided acreage, rivers or live streams, or by any of the foregoing and any other barriers to the continuity of development.

Cul-De-Sac. A minor street of short length, having one end open to traffic and being permanently terminated at the other end by a vehicular turn-around.

Easement. A quantity of land set aside or over which a liberty, privilege or advantage is granted by the owner to the public, a corporation, or some particular person or part of the public for specific uses and purposes, and shall be designated a "public" or "private" easement depending on the nature of the user.

Block. Subdivided property surrounded by, but not separated by, one or more of the following barriers: streets, un-subdivided acreage, rivers or live streams, or by any of the foregoing and any other barriers to the continuity of development.

Cul-De-Sac. A minor street of short length, having one end open to traffic and being permanently terminated at the other end by a vehicular turn-around.

Easement. A quantity of land set aside or over which a liberty, privilege or advantage is granted by the owner to the public, a corporation, or some particular person or part of the public for specific uses and purposes, and shall be designated a "public" or "private" easement depending on the nature of the user.

Final Plat. A map on approved material of all or part of a subdivision prepared and certified as to its accuracy by a registered Professional Engineer or a registered Professional Surveyor. Such maps must meet the requirements of this chapter and Act 288, Public Acts, 1967, as amended. The final plat shall conform to the approved preliminary plat.

(Rev. 09-11-2006)

Governing Body. The City Council of the City of Troy.

(Rev. 03-26-1979)

Improvements. Grading, street surfacing, curb and gutter, sidewalks, crosswalks, water mains and lines, sanitary sewers, storm sewers, culverts, bridges, utilities, landscaping, streams, lakes, improvements, and other additions to the natural state of land which increase its value, utility, or habitability.

(Rev. 05-08-1972)

Industrial Street. A street intended to serve primarily as a means of access from within industrial subdivisions or industrial districts to major thoroughfares and not intended to serve residential properties or carry residential traffic.

(Rev. 04-29-1968)

- H. Major Thoroughfare. An arterial street of great continuity which is intended to serve as a large volume trafficway for both the immediate area and region beyond, any may be designated in the major thoroughfare plan as a major thoroughfare, parkway, freeway, expressway or equivalent term to identify those streets comprising the basic structure of the street plan.

(Rev. 09-11-2006)

Marginal Access Street. A minor street parallel and adjacent to a major thoroughfare which provides access to abutting properties and protection from through traffic.

Master Plan. A Master Plan as defined in the Municipal Planning Act No. 285 of 1931, as amended, being Section 125.31 *et seq.* of the Michigan Compiled Laws.

(Rev. 09-11-2006)

Minor Street. A street supplementary to a major or secondary thoroughfare intended to serve the local needs of the neighborhood, of limited continuity, low pedestrian and vehicular volumes, and used primarily as access to abutting residential properties.

(Rev. 09-11-2006)

Multiple-Family Residential Streets. A street intended to serve primarily the greater traffic demands of multiple family residential developments. Such streets may or may not have continuity within the over-all thoroughfare system.

(Rev. 04-29-1968)

Municipality. The City of Troy.

Planning Commission. The Planning Commission of the City of Troy.

(Rev. 09-11-2006)

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Preliminary Plat. A map indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for review and to meet the requirements and procedures set forth in this ordinance.

Public Reservation. A portion of a subdivision which is set aside for public use and made available for public use and acquisition.

Registered Professional Engineer. A Civil Engineer who is a Professional Engineer licensed under Article 20 of the Occupational Code, Act No. 299 of the Public Acts of 1980, being sections 339.2001 to 339.2014 of the Michigan Compiled Laws.

(Rev. 09-11-2006)

Registered Professional Surveyor. A Professional Surveyor licensed under Article 20 of the Occupational Code, Act No. 299 of the Public Acts of 1980, being sections 339.2001 to 339.2014 of the Michigan Compiled Laws.

(09-11-2006)

Survey. A survey map and/or report prepared by a Registered Professional Surveyor.

(09-11-2006)

Secondary Thoroughfare or Collector Street. A street intended to serve as a major means of access from minor streets to major thoroughfares which have considerable continuity within the framework of the Master Thoroughfare Plan.

(Rev. 05-08-1972)

Street. A right-of-way dedicated to public use, which provides vehicular and pedestrian access to adjacent properties whether designated as a street, highway, thoroughfare, parkway, road, avenue, lane, or however otherwise designated, and includes the land between the right-of-way lines whether improved or unimproved, and may comprise pavement, curbs and gutters, shoulders, sidewalks, parking areas, lawn areas, and other areas within the right-of-way lines.

(Rev. 04-29-1968)

Subdivider. Shall be deemed to include the plural as well as the singular and may mean a person, firm, association, partnership, corporation, or any legal combination of them or any other legal entity proceeding under these regulations to effect a subdivision of land for himself/herself or for another. The word "subdivider" shall include the word "proprietor" as used in Act 288, Public Acts of Michigan, 1967, MCL 560.101 *et seq.*, as amended.

(Rev. 09-11-2006)

Turn-Around. A minor street or short length with two openings to traffic with a median strip in the center, beginning from the same street, and projecting parallel to each other and connecting at their termination by a loop.

Walkway. An area and improvement, either dedicated to the public or on private property, which is intended to provide for pedestrian access and movement.

(Rev. 08-01-1977)

(Renumbered: 09-11-2006)

ARTICLE III - SUBDIVISION PLAT APPROVAL

2.99. The review and approval of subdivision development plats shall be in accordance with this chapter and the Michigan Subdivision Control Act, Act 288, Public Acts of 1967, as amended, (M.S.A. 26.430) and shall follow the steps as listed below:

Section 3.00. Preliminary Investigation

Section 3.01. Preliminary Plat - Tentative Approval

Section 3.02. Improvement Design - Review and Approval

Section 3.03. Preliminary Plat - Final Approval

Section 3.04. Final Plat Approval

Section 3.05. Fees

(Rev. 03-26-1979)

3.00. Preliminary Investigation.

A. Prior to the preparation of a preliminary plat, the subdivider should meet informally with the Planning and Engineering Departments to investigate the procedures and standards of the City of Troy, and the ecological impact of the proposed development.

(Rev. 06-18-1990)

B. It is the responsibility of the subdivider to:

1. Familiarize himself/herself with the Zoning Ordinance, Subdivision Regulations, Tree Regulations, Master Land Use Plan, Master Thoroughfare Plan, Engineering Design Standards, Landscape Design and Tree Preservation Standards, Soil Removal and Filling Regulations, and Soil Erosion and Sedimentation Control Regulations relative to the subdivision and improvement of land, so as to make himself/herself aware of the requirements of the City of Troy.

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(Rev. 09-11-2006)

2. Review the existing zoning of the proposed subdivision to determine if it is zoned for the intended use.
3. Review the development options of the Zoning Ordinance to determine the feasibility of utilizing one of these approaches.
4. Investigate the standards of sewage disposal, water supply and drainage of the City of Troy and other reviewing agencies, which may include the State of Michigan, Oakland County and the Detroit Water and Sewerage Department

(Rev. 09-11-2006)

5. Investigate the adequacy of existing schools and public open spaces including parks and playgrounds to serve the proposed subdivision.

(Rev. 09-11-2006)

6. Review Act 288, Public Acts, 1967, as amended, and the requirements of those State and County Agencies which are required by said Public Act to review and approve the plat.

(Rev. 09-11-2006)

- C. In addition to meeting informally with the Planning and Engineering Departments as suggested in subsection A, the subdivider may request a pre-application review meeting by submitting a written request to the chairperson of the County Plat Board and submitting copies of a concept plan for the Preliminary Plat to the City of Troy and to each officer or agency entitled to review the Preliminary Plat under Sections 113 to 118 of Michigan's Land Division Act, MCL 560.113 to MCL 560.118. If this process is followed, then a pre-application review meeting shall take place not later than 30 days after the written request and concept plan are received. The meeting shall be attended by the subdivider, representatives of each officer or agency entitled to review the Preliminary Plat under Sections 113, 114, and 118 of Michigan's Land Division Act, and a representative of the municipality. Representatives of each agency entitled to review the Preliminary Plat under Sections 115 to 117 of Michigan's Land Division Act, MCL 560.115 to MCL 560.117, shall be informed of the meeting and may attend. The purpose of the meeting is to conduct an informal review of the subdivider's concept plan for the Preliminary Plat.

(09-11-2006)

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3.01. Preliminary Plat - Tentative Approval.

A. Plat Preparation and Contents:

1. The Preliminary Plat shall be designed and drawn by a Registered Professional Engineer or a Registered Professional Surveyor to a scale of no smaller than 100 feet to an inch.

(Rev. 09-11-2006)

2. Identification and Description - The Preliminary Plat shall include:

- (A) All items as required by Act 288, Public Acts, 1967, MCL 560.101 *et seq.*, and by the administrative rules of all State of Michigan Departments and Agencies that are required to review the plat under said Act.

(Rev. 09-11-2006)

- (B) Location by section, town and range, including legal description.
- (C) Date of preparation.
- (D) North arrow.
- (E) Scale of Plat.

(Rev. 09-11-2006)

3. Existing Conditions - The Preliminary Plat shall include:

- A) A location map showing the relationship of the proposed subdivision to the surrounding area, including schools, shopping areas, parks and other community facilities. The location map shall be drawn to a minimum scale of 800 feet to an inch, and shall include all areas which lie within one-half of the subdivision boundaries in all directions.

- B) The location of significant natural features such as natural water courses, bodies of water, flood plain areas, wetland areas, and tree information for determination of buildable land area, water resource management and as required for the preparation of a Tree Preservation Plan in accordance with the provisions of the Landscape Design and Tree Preservation Standards. This information shall be confirmed by a report from the City's environmental staff prior to submittal of the Preliminary Plat to the Planning Commission.

(Rev. 01-10-2000)

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- C) Boundary line of proposed subdivision and Section or corporation lines within or adjacent to the proposed subdivision.

(Rev. 05-08-1972)

- D) Adjacent tracts of subdivided and un-subdivided land shown in relation to the tract being proposed for subdivision.

- E) Location, width, and names of existing or prior platted public and private streets, and public easements within or adjacent to the tract being proposed for subdivision.

- F) Location of existing sewers, water mains, storm drains and other underground facilities within and, if necessary, adjacent to the tract being proposed for subdivision.

- G) Location of all easements within and if necessary, adjacent to the tract being proposed for subdivision.

- H) Topography drawn at two (2) foot contour intervals, except where the average grade exceeds 5%, the contour interval shall be 5'. Topography to be based on U.S.G.S. Datum.

- I) Location of severe variations in topography, and other areas having difficult or potentially unbuildable physical conditions.

(Rev. 06-18-1990)

4. Proposed Conditions - The Preliminary Plat shall include:

- A) Layout of streets, right-of-way widths, connections with adjoining platted streets and also the widths and locations of alleys, easements and public walkways.

- B) Layout, numbers and dimensions of lots, including building setback lines showing dimensions.

- C) Identification of parcels of land intended to be dedicated or set aside for public use or for the use of property owners within the subdivision, or land set aside for future street connections to adjacent tracts.

- D) Identification of all major easements, as determined to be necessary by the City Engineer. Minimum lots areas and dimensions shall be computed excluding such easements.

(Rev. 09-26-1976)

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- E) Indication of how all parcels either identified on the plat or by the Planning Department as "outlots", "excepted", or "unplatted", and as determined by the Planning Director, could be developed in accordance with the requirements of the existing zoning district while maintaining an acceptable relationship to the layout of the proposed Preliminary Plat.

(Rev. 09-11-2006)

- F) A Tree Preservation Plan developed in accordance with the City of Troy Landscape Design and Tree Preservation Standards.

(Rev. 05-21-1990)

- G) An indication of the means by which significant natural features such as water course, bodies of water, flood plain areas and wetland areas are to be preserved or treated in conjunction with the development of the proposed subdivision.

(Rev. 05-21-1990)

B. Submission

1. At least twenty (20) days prior to a regular meeting of the Planning Commission, the subdivider shall submit to the City Clerk 16 copies of the Preliminary plat and other data as requested by the Planning Department.

(Rev. 09-11-2006)

2. In addition, the subdivider shall file an application in duplicate, and two copies of the receipt acknowledging the applicable school district has received a copy of the preliminary plat, and pay all plat review fees as specified in Article III, Section 3.05 of this ordinance.

(Rev. 09-11-2006)

C. Department Review

1. The City Clerk shall retain one copy of the plat for his or her records and forward the balance of the plats to the Planning Director.

(Rev. 09-11-2006)

2. The Planning Director shall check for completeness of the preliminary plat. Should any of the data required in this section of this chapter be omitted, the Planning Director shall notify the subdivider of the additional data required and further action shall be delayed until the required data is received.

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(Rev. 03-26-1979)

3. The Planning Director shall forward copies of the preliminary plat to all affected City departments for their review and recommendation. The Planning Director shall contact the subdivider to explain any recommendations of the City departments and seek his or her cooperation in amending the plat, if necessary.

(Rev. 09-11-2006)

4. When the plat has been revised based on the review and recommendation of the affected City departments, the Planning Director shall place the plat on the agenda of the next regular Planning Commission meeting.

(Rev. 09-11-2006)

5. The Planning Department shall notify the subdivider and the owners of land immediately abutting the property to be platted of the submission of the preliminary plat and the time, place and date of the meeting of the Planning Commission to consider said preliminary plat.

(Rev. 09-11-2006)

D. Planning Commission Review

1. The Planning Commission shall review the preliminary plat and determine if it complies with the Zoning Ordinance, Subdivision regulations, Master Land Use Plan and Master Thoroughfare Plan.

(Rev. 09-11-2006)

2. The Planning Commission, upon completion of this review, and within 45 days of the date of submission by the subdivider, shall make one of the following recommendations:

(Rev. 09-11-2006)

- A) Tentative approval of the preliminary plat.
- B) Disapproval of the preliminary plat, with the reasons for the disapproval to be recorded in the minutes of the meeting, and a copy of the minutes will be sent to the subdivider by the Planning Department.

(Rev. 09-11-2006)

- C) Provisional approval conditioned upon specified conditions which shall be recorded in the minutes of the meeting. If provisional approval is given to a subdivision plat, the subdivider shall submit amended plans containing the specified revisions within ten (10) days of the date of this approval. If revised plans are timely submitted and the revisions meet the approval of the Planning Director as conforming to the conditions imposed by the Planning Commission, the plat shall be submitted to the City Manager for presentation to the City Council with the recommendation for tentative approval. If revised plans are not received within ten (10) days, the plat shall be submitted to the City Council with the recommendation for disapproval.

(Rev. 09-11-2006)

E. City Council Review

- 1. After the receipt of the recommendations of the Planning Commission from the Planning Director, and receipt of the recommendation of the City Engineer and such other officials deemed necessary by the City Manager, the City Manager shall place the preliminary plat on the City Council agenda.

(Rev. 09-11-2006)

- 2. The City Council shall take one of the following actions with respect to the preliminary plat:

(Rev. 09-11-2006)

- A) Tentatively approve the preliminary plat and make a note of its approval on the copy of the preliminary plat;

(Rev. 09-11-2006)

- B) Tentatively approve it subject to conditions and make a note of its approval and conditions on the copy of the preliminary plat, which shall be returned to the subdivider.

(Rev. 09-11-2006)

- C) Set forth in writing its reasons for rejection and requirements for tentative approval.

(Rev. 09-11-2006)

- 3. Action on the plat shall be taken within 60 days after it was submitted to the clerk, if a pre-application review meeting was conducted under section 3.0.4.

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Action on the plat shall be taken within 90 days after it was submitted to the City Clerk, if a pre-application review meeting was not conducted under section 3.00C.

(Rev. 09-11-2006)

4. Tentative approval shall confer on the subdivider for a period of one year from the date of approval, approval of lot sizes, lot orientation and street layout, and permission to submit improvement plans for Engineering Division Design Review. Such approval may be extended if applied for, in writing, by the subdivider and granted by the City Council.

(Rev. 09-11-2006)

F. Proposed Names of New Streets

After tentative approval of the preliminary plat, the subdivider shall submit proposed names for all streets within the subdivision. All names shall comply with the Troy Street Naming Ordinance, Chapter Two of the Troy City Code, and shall be reviewed by the appropriate City departments in a manner prescribed by the City Manager.

(Rev. 09-11-2006)

G. Traffic Control Orders

After tentative approval of the Preliminary Plat, the City Engineer and the Traffic Committee shall review the tentatively approved preliminary plat and send copies of their recommendations for signing and traffic regulations to the City Manager. The City Manager shall place the Traffic Control Orders on the City Council agenda for approval after the Preliminary Plat has received recommended final approval.

(Rev. 09-11-2006)

3.02. Improvement Design - Review and Approval

A. Submission

1. After tentative approval, but before submission of the Preliminary Plat for final approval, the subdivider shall submit his or her improvement plans for review and approval. The subdivider shall file the following with the City Clerk: an application for design review plans for all improvements to be installed within the proposed subdivision, and all plan review fees, as specified in Section 3.05 of this chapter.

(Rev. 09-11-2006)

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2. The City Clerk shall forward all plans received to the Engineering Division.

(Rev. 09-11-2006)

3. Said improvement plans shall be held for review by the City for a period not to exceed a total of sixty (60) days.

(Rev. 09-11-2006)

B. Plan Contents

1. All improvement plans shall be prepared by a Registered Professional Engineer.

(Rev. 09-11-2006)

2. Design standards for all improvements shall be as established in Article IV of this ordinance and as established by the Engineering Division and all other public agencies having jurisdiction:

- A) The water supply system must be acceptable to the Michigan Department of Community Health, the Detroit Water and Sewerage Department and Oakland County Health Department.

(Rev. 09-11-2006)

- B) The storm drainage system, if involving County drains, must be acceptable to the County Drain Commissioner.

- C) The sanitary sewer system must be acceptable to the Oakland County Health Department, Oakland County Department of Public Works, Oakland County Drain Commissioner and the Michigan Department of Community Health.

(Rev. 09-11-2006)

C. Plan Review

1. The Engineering Division shall initially review all plans submitted to determine their conformance to the City's Development Standards and Article IV of this chapter.

(Rev. 09-11-2006)

2. The improvement plans shall then be reviewed by the other appropriate City departments in a manner prescribed by the City Manager.

(Rev. 05-08-1972)

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3. After the improvement plans have received final approval, the City Engineer shall issue a Certificate of Improvement Design Approval to the subdivider's engineer, with copies to the subdivider and the City Clerk.

(Rev. 09-11-2006)

4. The subdivider's engineer shall submit to the Engineering Division cost estimates for all approved improvements.

5. The City Engineer shall then prepare and submit a detailed summary of required deposits of cash and bonds or escrow deposits in an amount sufficient to insure construction of the required subdivision and public improvements that shall be set forth in an agreement. Copies of the detailed summary and agreement shall be sent to the City Manager, the subdivider, and the City Clerk, for approval by City Council of the agreement.

(Rev. 09-11-2006)

3.03. Preliminary Plat - Final Approval

A. Submission

1. A subdivider desiring final approval of a preliminary plat shall file 2 copies of an application for final approval with the City Clerk.

(Rev. 09-11-2006)

2. With the application, the subdivider shall submit the following items:

- A) Fourteen copies of the preliminary plat as approved by all authorities required by Section 113 through 119 inclusive of Act 288, Public Acts of 1967, as amended.

(Rev. 09-11-2006)

- B) A certification identifying all authorities required to review the preliminary plat, as set forth in Sections 113 to 119 of the Land Division Act, MCL 560.113 to MCL 560.119.

(09-11-2006)

- C) Copies of all resolutions and writings granting approval

(09-11-2006)

- D) Copies of agreements, covenants or other documents showing the manner in which areas or facilities intended to be dedicated or set aside for the public use or for the use of the property owners within

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the subdivision are to be maintained. Such areas or facilities include, but are not limited to, park or open space areas, and storm water retention areas. Said documents shall include Articles of Incorporation and By-Laws of the subdivision association or organization which is to be responsible for the maintenance of such public us areas or facilities for the use of property owners within the subdivision, where applicable. Such documents shall be recorded simultaneously with the recording of the subject subdivision plat.

(Renumbered 09-11-2006)

- E) Cash, escrow deposits, certified check or irrevocable bank letter of credit; all review and inspection fees and other fees outlined in the detailed summary as required by the agreement approved by City Council.

(Rev. 09-11-2006)

B. Department Review

- 1. The City Clerk shall forward copies of the plat to the City Engineer, the Planning Director, and the Director of Parks and Recreation.

(Rev. 01-13-1992)

- 2. The City Engineer, the Planning Director, and the Director of Parks and Recreation and/or their designees shall review the plat as submitted, to determine compliance with the tentatively approved preliminary plat. If, in their opinion, the submitted plat conforms to the tentatively approved preliminary plat, they shall so indicate and forward the plat to the City Manager. If the plat does not conform to the tentatively approved preliminary plat, the Planning Director shall reject the plat and return it to the subdivider, with a statement of the reasons for the rejection.

(Rev. 09-11-2006)

- 3. When the preliminary plat has been approved by the Planning Director, the City Engineer, and the Director of Parks and Recreation, the City Manager shall place it on the agenda of the next City Council meeting.

(Rev. 01-13-1992)

C. City Council Review

- 1. At its next meeting or within twenty (20) days from the date of submission of the preliminary plat for final approval, the City Council shall:

(Rev. 09-11-2006)

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- A) Grant final approval of the preliminary plat and note its approval on a copy of the preliminary plat to be returned to the subdivider; or

(Rev. 09-11-2006)

- B) Reject the plat and instruct the City Clerk to so advise the subdivider and explain the reasons for the rejection.

(Rev. 03-26-1979)

- 2. Final approval of the preliminary plat shall confer upon the subdivider for a period of two (2) years from the date of City Council approval, the conditional right that the general terms and conditions under which this final approval of the preliminary plat was granted will not be changed. The two-year period may be extended by City Council if the subdivider files a written request and after a review and report from City staff on any conditions that may have changed.

(Rev. 09-11-2006)

D. Construction of Improvements

No construction of improvements shall begin until the subdivider has:

(Rev. 05-08-1972)

- 1. Received notice from the City Clerk of the final approval of the preliminary plat by the City Council.

(Rev. 03-26-1979)

- 2. Entered into a subdivision agreement with the City for construction of all required subdivision improvements.

(Rev. 05-08-1972)

3.04. Final Plat Approval

A. Submission

- 1. The final plat shall conform to the approved final preliminary plat, shall constitute only that portion of the approved final preliminary plat which the subdivider proposes to record and develop at that time, and shall conform in all respects to the requirements of Act 288, Public Acts of 1967, MCL 560.101 *et seq.*, as amended.

(Rev. 09-11-2006)

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2. The subdivider shall file 2 copies of an application for final approval with the City Clerk, together with:

(Rev. 09-11-2006)

- A) One (1) true copy of the plat together with an additional twelve (12) paper prints of the final plat; and

(Rev. 09-11-2006)

- B) The County Plat Board filing and recording fee required by Section 241 of Act 288, Public Acts of 1967, MCL 560.241, as amended.

(Rev. 09-11-2006)

- C) A current abstract of title that sets forth the recordable interests in the property to allow for a determination that all proper parties have signed the plat. In the alternative, a policy of title insurance currently in force covering all the land included within the boundaries of the proposed subdivision shall be provided. The City Council, in lieu of an abstract of title, may accept on its own responsibility, an attorney's opinion as to the ownership and marketability of title to the land.

(Rev. 09-11-2006)

- D) A certification from the subdivider that the construction of subdivision improvements has begun in the area covered by the Final Plat.

(Rev. 09-11-2006)

- E) Documentation indicating that current property taxes on the property that are part of the Final Plat are paid and that there are no outstanding Special Assessments on the property.

(Rev. 09-11-2006)

B. Department Review

1. The City Clerk shall forward copies of the final plat to the City Engineer and the Planning Director.

(Rev. 01-13-1992)

2. The City Engineer and the Planning Director shall review the final plat to determine its conformance with the approved preliminary plat. If the final plat does conform, they shall so indicate and forward the approved plat to the City Manager. If the plat does not conform, the Planning Director shall

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return the plat to the subdivider together with reasons for its rejection.

(Rev. 01-13-1992)

3. If approved, the City Manager shall place the final plat on the agenda of the next regular City Council meeting.

(Rev. 09-11-2006)

C. City Council Review

1. At its next regular meeting or a meeting called within twenty (20) days of the date of submission required under Section 3.04, the City Council shall:

(Rev. 09-11-2006)

- A) Approve the plat if it conforms to all provisions of this chapter and instruct the City Clerk to certify on the plat the City Council approval and date thereof; the approval of the Oakland County Health Department, when required, and the date thereof as shown on the approved preliminary plat, or

(Rev. 09-11-2006)

- B) Reject the plat and instruct the City Clerk to advise the subdivide of the rejection and the reasons for the rejection, and return the plat to the subdivider.

(Rev. 09-11-2006)

2. The City Clerk shall send a copy of the minutes of the meeting(s) where action is taken on a final plat to the County Plat Board.

(Rev. 09-11-2006)

3. The City Clerk shall transcribe a certificate of approval of the City Council on the Plat and deliver all copies to the clerk of the County Plat Board together with the filing and recording fee required by the State Land Division Act.

(Rev. 09-11-2006)

3.05 Fees

The following schedule of fees is adopted as authorized by Sections 241, 246 and 188 of Act 288, Public Acts of 1967, MCL 560.241 and MCL 560.246, as amended.

(Rev. 09-11-2006)

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1. A plat review fee in accordance with Chapter 60, Fees and Bonds of the City of Troy Code of Ordinances, to be paid at the time of application for tentative approval of the preliminary plat.

(Rev. 09-11-2006)

2. Plan Review and inspection fees, as established by the Planning and/or Building Departments, to be paid with the application for improvement design review.

(Rev. 09-11-2006)

3. All cash, escrow deposits, certified check or irrevocable bank letter of credit; all review and inspection fees and other fees outlined in the "Detailed Summary of Required Deposits" and/or the agreement approved by City Council, along with a Plat Review Fee in accordance with Chapter 60, Fees and Bonds of the City of Troy Code of Ordinances, to be paid at the time of submission of the preliminary plat for Final Approval.

(Rev. 09-11-2006)

4. A Plat Review Fee as set forth in Chapter 60, Fees and Bonds of the City of Troy Code of Ordinances to be paid at the time of application for Final Approval.

(Rev. 09-11-2006)

5. The County Plat Board filing and recording fee, in the amount established by MCL 560.241 as amended. This fee shall be paid at the time of application for Final Approval.

(Rev. 09-11-2006)

6. The State Plat Review Fee, in the amount established by MCL 560.241 as amended. This fee shall be paid at the time of application for Final Approval.

(Rev. 09-11-2006)

ARTICLE IV - DESIGN STANDARDS

4.00. General Requirements

- A. The subdivision design standards set forth under this section are conditions of approval for plats. Complete plans for the construction of all streets, utilities, drainage and grading, prepared by a registered professional engineer shall be submitted in accordance with this chapter.

(Rev. 03-26-1979)

- B. The design and location of all blocks, lots, easements, topographic conditions, streets, sidewalks, public walkways, and utilities shall conform to at least the

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minimum requirements of the design standards as established by the City Engineer.

(Rev. 05-08-1972)

- C. The subdivider shall be responsible for the construction or placement of all improvements required by this chapter within a time period specified by the governing body.

(Rev. 09-26-1983)

D. Financial Guarantees

1. Prior to the construction or placement of any improvements, the subdivider shall deposit with the City Clerk, an escrow deposit of cash, certified check, or irrevocable bank letter of credit, whichever the subdivider selects, in an amount set by the governing body based on an estimate by the City Engineer, sufficient to guarantee:

(Rev. 01-06-1975)

- A) The construction or placement of all required improvements, including improvements within park or open space areas, except those items listed in Section 2 below, for which cash payment is required.

(Rev. 08-01-1977)

- B) The placement or replacement, after construction of improvements, of all lot stakes and monuments.

(Rev. 01-06-1975)

2. The subdivider shall make cash payment for the following:

(Rev. 05-08-1972)

- A) Sidewalk closures at intersections, and those sidewalks required in Section 4.06 C.
- B) Water Main testing and chlorination.
- C) Street name and traffic signs.
- D) Street island improvements.

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E) Landscaping and screen planting of non-access greenbelt easements and retention basins.

(Rev. 10-09-1972)

F) Maintenance of retention basins.

(Rev. 02-21-1977)

G) Engineering review and inspection fees.

(Rev. 10-9-1972)

H) Sodding or seeding, as approved by the director of Parks and Recreation, of major and secondary road rights-of-way, and local street rights-of-way within the subdivision that do not abut lots within the subdivision, or that abut parcels which are not to be used for building purposes (open space areas, retention basins, etc.).

(Rev. 02-21-1977)

3. As development progresses, the City may rebate to the subdivider amounts of cash deposits equal to the ratio of work completed to the entire project.

(Rev. 05-08-1972)

4. Prior to the acceptance of any improvements by the City, the subdivider shall cause to be deposited with the City a three year maintenance bond in an amount equal to 35% of the total cost of said improvements.

5. A builder shall be required to deposit with the City Clerk, cash, or certified check, whichever the builder elects, running to the City of Troy, to insure construction of all sidewalks required under this chapter. The builder shall also deposit with the City of Troy, a cash sum to be determined by the governing body based on an estimate of the Director of Parks and Recreation to cover the cost of purchasing and installing street trees. No building permit shall be issued until said deposit for sidewalks and street trees has been accepted by the City.

(Rev. 03-26-1979)

4.01. Blocks

A. Maximum length for blocks shall not exceed 1,400 feet, except where, in the opinion of the Plan Commission, conditions may justify a greater length.

(Rev. 03-26-1979)

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- B. Widths of blocks shall be determined by the conditions of the layout and shall be suited to the intended layout.

(Rev. 05-08-1972)

4.02. Lots

A. Sizes and Shapes

1. The lot size, width, depth and shape in any subdivision shall be appropriate for the location and the type of development contemplated.
2. Lot areas and widths shall conform to at least the minimum requirements of the Zoning Ordinance for the District in which the subdivision is proposed.

In areas where the street system of a proposed residential subdivision ties into that of adjacent existing residential areas, the lot dimensions and setbacks in the area immediately adjacent to the street connections shall be adjusted so as to be compatible with those of abutting lots.

3. Building setback lines shall conform to at least the minimum requirements of the Zoning Ordinance.
4. Corner lots in a one-family residential subdivision shall be at least fifteen (15) feet wider than the minimum width required by Article XXX, Section 30.10.00 of the Zoning Ordinance, and may not be modified by use of Section 35.10.00 (Averaged Lot Sizes).
5. Residential lots having a reverse frontage or rear lot relationship to major or secondary thoroughfares shall have a minimum depth of 150 feet.
6. Residential lots shall have minimum depths generally conforming to the following guidelines (unless otherwise provided in the Zoning Ordinance), except in those instances where the Plan Commission and the City Council determine that conformance with same will result in a serious development constraint, or preclude the implementation of a reasonable and desirable residential subdivision configuration:

<u>ZONING DISTRICT</u>	<u>MINIMUM DEPTH GUIDELINE (In Feet)</u>
R-1A	145
R-1B	135
R-1C	125
R-1D	120
R-1E	120

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7. Excessive lot depth in relation to width shall be avoided. A depth-to-width ratio of 3 to 1 shall normally be considered a maximum.
8. Lots intended for purposes other than residential use shall be specifically designed for such purposes, and shall have adequate provision for off-street parking, off-street loading and other requirements in accordance with the Zoning Ordinance.

B. Arrangement

1. Every lot shall front or abut on a street, except in those instances where lots are not intended for building purposes.
2. Side lot lines shall generally be at right angles or radial to the street lines, except in those instances where, in the opinion of the Plan Commission and the City Council, improved building orientation and lot buildability will result from the use of non-radial side lot lines.
3. Residential lots abutting major or secondary thoroughfares, where marginal access streets are not desirable or possible to attain, shall be platted with reverse frontage lots or with side lot lines parallel to such thoroughfares. That portion of these lots abutting major or secondary thoroughfares shall include an approved screen planting contained in a non-access greenbelt easement having a minimum width of 15 feet.

Residential lots abutting a freeway, or having a side lot or rear lot relationship to a street which in turn abuts a freeway, shall include an approved screen planting contained in a greenbelt easement having a minimum width of 75 feet.

4. Lots shall generally have a front to front relationship across all streets.

4.03. Easements

- A. Easements shall be provided along lot lines as necessary. Easements shall be at least 12 feet wide and shall give access to every lot.
- B. Easements shall be provided for utilities and communication facilities.
- C. Easements needed for storm drainage purposes shall be determined by the City Engineer and shall meet the requirements of the City Engineer.

4.04. Topographic Conditions

- A. Flood Plain

Any areas of land within the proposed subdivision which lie either wholly or in part within the flood plain of a river, stream, creek or lake, or any other areas which are subject to flooding or inundation by storm water or have inadequate drainage, shall not be platted for any use as may increase danger to health, life,

or property. The subdivider may show by way of accurately engineered plans that a change to the topography in the proposed subdivision will eliminate flooding in the area in question and shall clearly demonstrate that any such planned topographical change will not unduly aggravate the flood hazard beyond the limits of the proposed subdivision. If the City Council determines that a flood problem does exist, then it shall reject all or that part of the proposed subdivision lying within the floodplain. Any areas of land lying within a flood plain shall require specific compliance with all applicable State laws, and rules related thereto.

Where flood plain contours are established as part of the land subdividing process, they shall not be altered without approval of City Council. No building or other permanent structure shall be placed within the defined flood plain.

(Rev. 09-26-1976)

B. Trees

The subdivider shall take the necessary action to preserve trees within the proposed subdivision. The following information must be supplied to and approved by the Director of Parks and Recreation:

(Rev. 10-09-1972)

1. Location of trees to be retained.
2. Specifications for protection during development.
3. Specifications for grading and drainage to assure the preservation of those trees to be retained.

C. Natural Features

The natural features and character of lands must be preserved wherever possible and desirable. Due regard must be shown for all natural features such as large trees, stands of trees, water courses and similar environmental assets that will add attractiveness and value to the property if preserved.

(Rev. 05-08-1972)

D. Artificial or Man-made Lakes or Reservoirs

According to plans and specifications approved by the City Engineer.

E. Open Space Areas

1. Site plans and development of open space and park areas shall be approved by the Director of Parks and Recreation.

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2. Grading Plans for the Open Space Area shall be submitted to and approved by the City Engineer, simultaneously with the submittal of grading plans for the remainder of the subdivision. The entire Open Space Area shall be brought to a suitable grade as approved by the City Engineer.

(Rev. 08-01-1977)

3. Within those portions of the Open Space Area to be maintained as woods, all debris shall be removed; and dead, diseased or hazardous trees must be felled and removed. Selective clearance shall be performed, where determined to be necessary by the Director of Parks and Recreation, in accordance with State of Michigan standards.
4. With the exception of wooded areas, all ground area must be top-dressed where necessary with suitable soil and seeded or sodded as provided in the Landscape Design Standards.

(Rev. 02-21-1977)

5. All basic site and grading improvements, as outlined in the previous sections, shall be completed and approved by the Director of Parks and Recreation, prior to the issuance of building permits for other than model homes in the subject subdivision. Other building or facility improvements proposed within open space areas shall be assured by means of financial guarantees as outlined in Section 4.00-D.

Financial guarantees related to required improvements within Open Space Areas shall be retained by the City until the Open Space maintenance responsibility is expressly assumed by the related subdivision association, which at that time must be under the control of the subdivision residents. Until that time, the subdivider shall be responsible for the maintenance of the Open Space Area.

(Rev. 08-01-1977)

F. Non-access Greenbelt Easements

The non-access greenbelt easements along the rear or side property lines of those lots arranged according to Section 4.02, B.3 of this chapter shall be developed in the following manner:

(Rev. 03-26-1979)

1. Easements shall be at least fifteen (15) feet wide and shall extend along all lots abutting major or secondary thoroughfares.
2. Easements shall contain suitable ground cover and a screen planting including such elements as earth berms, shrubs, coniferous and

deciduous trees, as approved by the Director of Parks and Recreation.

3. The grading of these easements shall be approved by the City Engineer.

G. Zoning Boundary Screening Walls

When a non-residential subdivision is to be developed abutting residentially zoned land, a 6'-0" decorative masonry screening wall shall be constructed along that boundary of the proposed subdivision which coincides with the zoning boundary line between the non-residential and the residential land. Such walls shall be constructed in accordance with the provisions of Article XXXIX, Section 39.10.00 of the Zoning Ordinance.

(Rev. 05-08-1972)

H. Street Rights-of-Way

The margins of major street rights-of-way, and local street rights-of-way within the subdivision that do not abut lots within the subdivision, or that abut parcels which are not to be used for building purposes, shall be sodded or seeded as specified in the Landscape Design Standards. The use of sod or seed in such areas shall be subject to the approval of the Director of Parks and Recreation.

(Rev. 02-21-1977)

4.05. Streets

A. Location and Arrangement

1. All streets within the proposed subdivision shall conform to the various elements of the Master Thoroughfare Plan.

(Rev. 05-08-1972)

2. The street layout shall provide for the continuation of streets adjoining the subdivision or for the proper protection of streets when the adjoining property is not subdivided or conform to a plan for a neighborhood unit adopted by the Plan Commission.

(Rev. 03-26-1979)

3. The street layout shall include minor streets so laid out that their use by through traffic shall be discouraged.

(Rev. 05-08-1972)

4. Should a proposed subdivision border on or contain an existing or proposed major or secondary thoroughfare, the Plan Commission shall require marginal access streets or lot arrangements as specified in

Section 4.02 B, 3 of this chapter.

(Rev. 03-26-1979)

5. Should a proposed subdivision border on or contain a freeway or other limited access highway right-of-way, the Plan Commission may require the location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for the development of an appropriate use of the intervening land. Such distances shall be determined with due consideration for the minimum distance required for approach grades to future grade separations.

(Rev. 03-26-1979)

6. Half streets shall be prohibited, except where absolutely essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and where the Plan Commission finds it will be practicable to require the dedication of the other half when the adjoining property is developed. Wherever there exists, adjacent to the tract to be subdivided, a dedicated or platted and recorded half street, the other half should be platted.

(Rev. 03-26-1979)

7. No proposed subdivision shall be isolated from or isolate other lands from, existing public streets unless suitable access is provided.

(Rev. 05-08-1972)

8. Street names shall conform to the street naming ordinance, Chapter two of the Troy City Code.

(Rev. 05-08-1972)

9. Maximum length for residential cul-de-sac streets shall generally be 500'. Maximum length for industrial and other cul-de-sac streets may exceed 500', subject to the approval of the Plan Commission.

(Rev. 03-26-1979)

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B. Rights-of-Way Widths

<u>STREET TYPE</u>	<u>RIGHT-OF-WAY WIDTH</u>
1. Major Thoroughfare	In conformance with the Master Thoroughfare Plan of the City of Troy and the Master Right-of-Way Plan of the County of Oakland.
2. Secondary Thoroughfare	In conformance with the Master Thoroughfare Plan of the City of Troy.
3. Industrial Service Streets	60'
4. Multiple-Family Residential	60'
5. Minor (Single Family Residential Streets)	60'
6. Marginal Access Streets	34'
7. Turn-Around (Loop) Streets	120'
8. Alley	20'
9. Cul-de-Sac Streets - Turn-Arounds:	
A. Industrial	75' Radius
B. Residential & Others	60' Radius

C. Pavement Widths

<u>STREET TYPE</u>	<u>PAVEMENT WIDTH</u> (Measured from outside of curb to outside of curb)
1. Major Thoroughfare	In conformance with the standards and specifications established by the City Engineer.
2. Secondary Thoroughfares	In conformance with the standards and specifications established by the City Engineer.
3. Industrial Streets	36'
4. Multiple-Family Residential	36'
5. Minor Residential Street	28'
6. Marginal Access Streets:	
A. Single Family Residential	22'
B. Other Zoning	In conformance with Districts, the standards and specifications established by the City Engineer.
7. Turn-Around (Loop)	No less than 80' Streets in diameter at terminating loop.
8. Alley	20'
9. Cul-de-Sac Streets-Turn Arounds – Outside Radius:	
A. Industrial	65'
B. Residential & Others	50'

D. Street Grades

For adequate drainage, the minimum street grade shall not be less than 0.4%. Street grades shall not exceed 6% unless approved by the City Engineer.

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E. Alignment

1. Vertical

Vertical curves are necessary when a change in grade of 1.50% or more occurs. Vertical curves shall be adequate to provide the minimum vertical visibility as listed below. (Measured from four and one-half (4-1/2) foot eye level to eighteen (18) inch tail light level)

A) Major Thoroughfares	500 Feet
B) Secondary Thoroughfares	300 Feet
C) Minor Streets	200 Feet
D) Minor Street, Less than 500 Feet long	100 Feet

(Rev. 08-01-1977)

2. Horizontal

A) The minimum centerline radii and tangents between reverse curves shall be as follows:

	<u>Radii Tangent</u>	
1) Major Thoroughfares	700 Feet	300 Feet
2) Secondary Thoroughfares	450 Feet	100 Feet
3) Minor Streets	275 Feet	50 Feet

B) Minimum Horizontal Visibility shall be:

1) Major Thoroughfares	300 Feet measured on centerline
2) Secondary Thoroughfares	200 Feet measured on centerline
3) Minor Streets	100 Feet measured on centerline

3. Streets shall be laid out so as to intersect as nearly as possible at 90 degrees.

4. Street jogs with centerline offsets of less than 150 feet shall be avoided.

5. Curved streets intersecting with major or secondary thoroughfares shall do so with a tangent section of centerline 100 feet long measured from the right-of-way line of the major or secondary thoroughfare.

F. Intersection Approach Construction

Acceleration and deceleration lanes shall be constructed at all intersections of minor streets with major or secondary thoroughfares, and at all intersections of secondary thoroughfares with major thoroughfares. When the major thoroughfare involved consists of just two (2) through lanes, a passing lane or left turn lane shall also be constructed in order to enable the intersection to function properly. The design of such acceleration, deceleration, passing and left

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turn lanes shall be as required by the Engineering Design Standards of the City of Troy.

(Rev. 01-13-1992)

G. Roadway Pavement Construction

All roadway pavements shall be constructed of portland cement concrete with integral curb and shall otherwise be in accordance with details and specifications prescribed by the City Engineer.

H. Street Name and Traffic Signs

Street name signs shall be provided at the intersections of all streets. All street name signs and traffic signs shall meet the material specifications of the City of Troy. Traffic signs shall conform to the Michigan Manual of Traffic Control Devices and shall be purchased and installed by the City of Troy or the County of Oakland.

(Rev. 05-08-1972)

4.06. Sidewalks and Walkways

- A. Concrete sidewalks shall be constructed along those sides of all streets which lie within or abut the plat. Sidewalks along Major Thoroughfares shall be eight feet (8') in width.

Sidewalks along all other categories of streets shall be five feet (5') in width. Sidewalks shall generally be placed one foot (1') off property lines, except in those instances where the City Engineer determines that an alternate location will be equally or more physically feasible or desirable, while serving the same access function.

(Rev. 09-11-2006)

- B. Concrete sidewalks shall be constructed adjacent to retention basins, outlots, and Open Space Areas when abutting an improved street within the subdivision, and along those sections of streets that do not abut lots within the subdivision. Walkways within Open Space Areas may replace those required along the related street frontage, when it is determined by the Plan Commission that a similar function will be served by such walkways.
- C. Construction of walkways or cross-walks may be required by the Plan Commission to obtain satisfactory pedestrian circulation within the subdivision where block length exceeds 1,000 feet, or where schools, churches, parks, or other community facilities require such walkways.
- D. An easement or dedicated right-of-way, generally 12' in width, shall be provided.
- E. The surface of a walkway shall be 6' wide and constructed to meet City concrete sidewalk specifications. The balance of the easement or walkway right-of-way

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shall be graded and sodded. Such walkway construction, and related grading and sodding, shall be the responsibility of the subdivider and shall be carried out simultaneous with the construction of other required subdivision improvements.

4.07. Utilities

A. Storm Drainage System

The storm drainage system and other storm drainage improvements including storm water detention or retention facilities shall be provided in accordance with plans approved by the City Engineer. Detention or Retention basins shall be surrounded by a planting screen or area as approved by the Director of Parks and Recreation. Where County drains are involved, a letter or document of approval from the County Drain Commissioner must be submitted by the subdivider.

(Rev. 01-06-1992)

B. Rear Yard Storm Drains

Adequate and safe disposal of all rear yard storm drainage shall be provided in accordance with details and specifications prescribed by the City Engineer.

C. Sewage Disposal

Sewage systems must be constructed to plans approved by the City Engineer. All lots must be served by a public sewer.

D. Water Supply

Water distribution systems must be constructed to plans approved by the City Engineer. All lots must be served by a public water system.

E. Power and Communication Facilities

1. All lines for power and communication facilities transmitted by wire or cable, including all individual service connections, shall be placed underground throughout the entire subdivision, with the following exceptions:

A. For electric facilities operated at more than 15 thousand (15,000) volts to ground for WYE connected systems and over 20 thousand (20,000) volts for Delta connected systems.

B. In industrial subdivisions where such utilities are located behind the front building line of the subdivision lots.

2. Exceptions to this requirement will only be permitted where it is determined that overhead lines will not constitute a detriment to the

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health, safety, general welfare, plat design and character of the subdivision. Such exceptions must receive the approval of the City Engineer, Planning Director, Chief Building Inspector and the approval of the City Council at the time of submittal of improvement plans for Improvement Design Review and Approval.

(Rev. 01-06-1992)

3. All such facilities shall be planned and constructed so as not to conflict with other underground utilities.

(Rev. 05-08-1972)

4. All such facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission.

F. Street Lighting

The developer shall install street lighting of a type and lighting intensity conforming with the Master Plan for municipal street lighting at all intersections of minor streets with major or secondary thoroughfares; secondary thoroughfares with major or secondary thoroughfare; major thoroughfares with major thoroughfares. Materials, equipment and installation shall conform to the standards and specifications prescribed by the City Engineer.

(Rev. 06-05-1978)

ARTICLE V - INTERPRETATION

5.00. Interpretation

The provisions of these regulations shall be held to be the minimum requirements adopted for the promotion and preservation of public health, safety and general welfare of the City of Troy. These regulations are not intended to repeal, abrogate, annul or in any manner interfere with existing regulations or laws of the City of Troy, nor to conflict with any statutes of the State of Michigan or Oakland County, except that these regulations shall prevail in cases where these regulations impose a greater restriction than is provided by existing statutes, laws or regulations.

(Rev. 04-29-1968)

ARTICLE VI - PARCEL SPLITTING

6.00. Splitting Procedure and Requirements

- A. Submittal and Review: Any person wishing to split a platted lot or acreage parcel shall submit to the City Assessor written application for parcel splitting, and two (2) copies of the proposed split.

(Rev. 02-15-1982)

- B. Duties of City Assessor: The City Assessor shall review the proposed parcel split to determine its compliance with the applicable City Ordinances, and with Michigan's Land Division Act, Act 288, Public Acts, 1967, as amended. If the resultant split is in conformance with these conditions, the City Assessor shall have the authority to authorize the requested split.

(Rev. 09-11-2006)

- C. No lot or acreage parcel shall be split until all taxes have been paid. A receipt of payment must be submitted with the proposed split plan.
- D. Splitting of a lot or acreage parcel or changing any tax parcel description in a one-family residential or two-family residential zoning district is prohibited, unless the resultant parcels meet the requirements of Section 30.10.00 of the Zoning Ordinance, including frontage on a public street, minimum lot area and setbacks from existing buildings.

In recorded subdivisions utilizing the Averaged Lot Sizes option, these requirements may be reduced to the minimum standards of Section 35.10.00 of the Zoning Ordinance if all requirements of Section 35.10.00 through 35.10.04 are met.

(Rev. 03-09-1987)

- E. In the case of applications for splits of non-residential property, the City Assessor may require the submittal of a site plan, conforming to the standards of the Zoning Ordinance, indicating the potential development of the subject property as it is presently zoned. Such plans shall indicate potential development of the parcel, either as an independent parcel or in conjunction with abutting land under the applicant's ownership, in a manner conforming to Zoning Ordinance requirements. Failure to provide such a plan when required by the City Assessor shall constitute grounds for denial of the parcel split application.
- F. Applicants for a lot split shall, except on waiver as for minor lot line adjustments, provide the City Assessor with a certified architectural survey of the property proposed to be split, which shall show existing buildings, existing City utility lines, including sewer leads, serving said property, drainage courses, easements and such other pertinent data as he may request, in addition to showing the proposed lot split and the dimensions of the new lots to be created thereby. Said survey shall upon approval of the proposed lot split by the assessor be recorded with the Oakland County Register of Deeds by the applicant.

(Rev. 06-09-1986)