

04/10/2025 (Police Power Ordinance)

**SANDS TOWNSHIP
MARQUETTE COUNTY, MICHIGAN
ORDINANCE NUMBER 60
SUBDIVISION AND SITE CONDOMINIUM**

SUBDIVISION AND SITE CONDOMINIUM

1. Purpose.

- A. Regulate the Division of Land. To regulate and control the subdivision of land into plats, pursuant to the Land Division Act, P.A. 288 of 1967, and as thereafter amended; or the development of land under the provisions of the Condominium Act, P.A. 59 of 1978, as thereafter amended, where the intent is to develop individual building sites with the objective interest of achieving the same characteristics and land use results as a general subdivision.
- B. Orderly Growth that Protects Public Health, Safety, and Welfare. To provide for the orderly growth and harmonious development of the Township of Sands; to secure adequate traffic circulation through coordinated street systems with relation to primary roads, adjoining developments, and public facilities; to achieve individual lots/building sites of maximum utility and livability; to secure adequate provisions for water supply, drainage and sanitary sewerage, and other health requirements; and, to provide logical procedures for the achievement of these purposes that promote and protect public health, safety and welfare.
- C. Balance Growth and the Natural Environment. Balance the need for future residential development and the intrinsic public value of preserving the natural environment. Preservation of natural environments help maintain habitats and biodiversity; reduce run-off, flooding, and soil erosion; lessen the effects of heat, noise, and light produced by human development; improve air quality; safeguard ground water recharge areas; and protect water quality.
- D. Establish Review Process. To provide for the process for which projects are reviewed to ensure conformance with all applicable ordinances.

- 2. Authority. This Section is enacted pursuant to the authority granted by the Michigan Planning Enabling Act (Public Act 33 of 2008, as amended), Michigan Land Division Act (Public Act 288 of 1967, as amended), the Michigan Condominium Act (Public Act 59 of 1978, as amended) and Public Act 246 of 1945, as amended, which authorizes Township Boards to adopt and amend ordinances to secure the public health, safety, and general welfare.

3. Compliance Standards.

- A. Ordinance Compliance. It shall be unlawful for any proprietor to divide or partition or to combine any lot, building site, or outlot, or any other recorded plat or plan, except in accordance with the provisions of this Section and state law.
 - B. Zoning District Requirements. Two or more contiguous lots or building sites, or parts of lots or building sites, that have been combined shall not be divided or split (whether pursuant to Land Division Act or Condominium Act), nor shall such combination be otherwise reversed or vacated, unless the resulting lots or building sites comply with all area and road frontage requirements for the zoning district in which they are located.
 - C. Approval Prior to Development. The approvals required under the provisions of this Section shall be obtained prior to any improvements on the property, which shall include the removal of any natural features, including trees; the grading of the site; or installation of any project improvements of a subdivision/site condominium within Sands Township. All subdivision/site condominium improvements within Sands Township shall comply with all the provisions and requirements of this Section or any other related ordinance referenced herein.
4. Self-Imposed Restrictions. If the proprietor places restrictions on any of the land contained in the subdivision/site condominium greater than those required by this Section or the regulations of other ordinances referenced herein, such restrictions or reference to those restrictions may be required to be indicated on the subdivision plat/site condominium plan, or the Township Board, based on a recommendation from the Sands Township Zoning Administrator and Planning Commission, may require the restrictive covenants be recorded with the Marquette County Register of Deeds in a form to be approved by the Sands Township Attorney.
5. Interpretation. The provisions of these regulations shall be held to be the minimum requirements adopted for the promotion and preservation of the environment and public health, safety, and general welfare of Sands Township. These regulations are not intended to repeal, retract, annul or in any manner interfere with existing regulations or laws of Sands Township, nor conflict with any statutes of the state or 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.
6. Subdivisions and site condominiums created or under review prior to the adoption of this Ordinance are exempt from *Subsection 7: Design and Layout Standards* herein.

7. Design and Layout Standards.

The subdivision/site condominium design layout standards set forth under this subsection are required and shall be incorporated into project development.

A. Project Name. The name of the new subdivision/site condominium shall not duplicate the name of any other previously approved projects unless it is an addition or phase to a contiguous development. The first development or phase of the project shall be number 1, and all additions or phases shall be consecutively ordered.

B. Public Utilities.

- i. Public water and sanitary sewer shall be extended to the subdivision/site condominium where such existing utilities are within one-half mile (2,640 feet) of the development site, based on a recommendation from a Sands Township Zoning Administrator, Sands Township Planning Commission, and approval from the Sands Township Board.
- ii. All public improvements and required easements shall be extended through the parcel on which new development is proposed. Streets and public utilities, including natural gas lines, water lines, wastewater systems, drainage facilities, electric lines, and telecommunications lines, shall be constructed through the new development to promote the logical extension of public infrastructure. Sands Township may require the proprietor of a subdivision/site condominium to extend off-site improvements, if needed, to reach the development.

C. Utility Easements.

- i. Utilities shall be located within public or private rights-of-way or within easements outside of the right-of-way.
- ii. Easements dedicated for public water shall be a minimum of 20 feet in width and public sanitary sewer easements shall be a minimum of 30 feet in width for sewers greater than 10-feet in depth, and a minimum of 20 feet in width for sewers 10 feet or less in depth.
- iii. If not located in the road right-of-way, private utility line easements shall generally be provided along the rear or side of lots/building sites as necessary for utilities.
- iv. Easements centered on rear or side lot/building site property lines provided for utilities shall be at least 12 feet wide, typically six feet dedicated from each lot/building site, except side easements granted for street lighting dropouts, which shall be three feet wide. All other easements shall be at least 10 feet wide. These easements shall be direct and continuous from block to block.

- v. Recommendations on the proposed layout of easements for such things as telecommunication, fiber optic, cable, natural gas, and electric should be sought from the utility companies serving the area. It shall be the responsibility of the proprietor to submit copies of the preliminary plat/plan to all appropriate public utility agencies prior to seeking Sands Township approval.

D. Storm Water Management.

- i. Storm water management basins are preferred to be "free form," following the natural features of the land to the greatest extent possible. If such features do not exist, the basin should be shaped to emulate a naturally formed depression.
- ii. Side slopes shall not be steeper than 3:1 (H:V). Where basins are to be maintained as a mown lawn to the water's edge, side slopes shall be not steeper than 4:1 (H:V) to facilitate mowing.
- iii. Design standards and best management practices for storm water management basins as determined by the Marquette County Drain Commission shall be utilized.
- iv. Storm water management basins shall be clearly identified as to type (retention or detention), nature (wet or dry), with design elevations and functional benchmarks (storage volume, time to drain, etc.). A permanent survey point for elevation control shall be located within 200 feet of the design high water mark as a permanently accessible operational benchmark.
- v. Redistributing soils from basin construction to create natural landforms around the perimeter of the basin is encouraged. These forms should be located strategically to filter views or redirect and soften the views from residential areas. Total screening is not intended.
- vi. Access for maintenance equipment must be considered in the design of the basin.
- vii. Storm water management basins adjacent to properties without public sanitary sewer available shall be setback 40 feet from any exterior property boundary of the development as measured from the designed high-water mark. Storm water management basins adjacent to all other properties shall be setback 15 feet from the designed high-water mark.

viii. Naturalized planting themes are required for storm water management basins. Trees and shrubs should be grouped in informal patterns to emulate the natural environment. The intent is to soften the views of these basins and not to totally screen them from view. A minimum of one large tree shall be planted for every 50 feet of basin perimeter, the size of plantings to meet the landscaping material requirements of the Sands Township Zoning Ordinance, *Section 412: Required Planting Screens*.

ix. The ground surface and edges of the basin are encouraged to be covered with a water tolerant mixture of native grasses and herbaceous flowering plants or other approved ground cover. It is the intent of these standards to provide for a sustainable natural planting throughout the basin that will not require regular mowing or fertilization.

x. Any necessary public storm water easements shall be indicated and dedicated to the Marquette County Drain Commissioner. Private easements and their maintenance shall be included in any master deed documents.

xi. Storm water management basins located in subdivisions without homeowners associations or Site Condominiums shall be public and dedicated to the Marquette County Drain Commissioner.

E. Lots and Building Sites.

i. Lots shall be numbered consecutively, continuing throughout any additions or phases of the subdivision/site condominium.

ii. Each proposed lot/building site must have access to an approved public or private right-of-way.

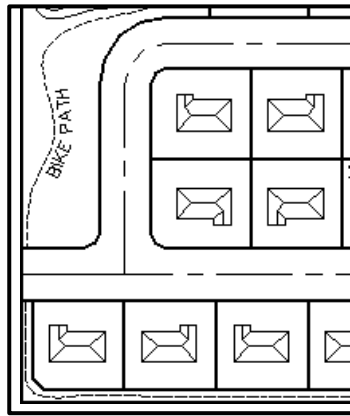
iii. The frontage and area requirements of lots/building sites shall comply with the minimum requirements of the zoning district in which the subdivision/site condominium is located.

iv. The minimum size of lots/building sites abutting more than one street or future street extension must be sufficient to provide area to meet building setback requirements of a front yard from all such abutting streets. The front yard setbacks of corner lots/building sites shall be provided on the plat/plan.

v. Wherever feasible, lots/building sites shall be arranged so that the rear yard does not adjoin the side yard of an adjacent lot/building site.

- vi. No lot, outlot, or building site may be isolated from a public or private right-of-way, nor may any adjoining land of the proprietor or others be isolated from the same, thereby creating unbuildable land. Such isolation may be avoided through a dedicated easement for ingress and egress, and all public utilities, shown upon the recorded plat/plan, which easement shall be of suitable width of not less than sixty-six feet (66 feet), assuring permanent access to such lot, outlot, building site, or parcel of land by a future road.
- vii. Double frontage and reversed frontage lots/building sites shall be avoided except where necessary to provide separation of residential development from primary roads or to overcome specific disadvantages of topography, orientation, or natural features like lakes.
- viii. Residential lots/building sites shall not derive direct access from a county primary or secondary road.
- ix. In commercial or industrial zoning districts where driveway access from a primary road may be necessary for several adjoining lots/building sites, Sands Township shall require that such lots/building sites be served by a combined access drive, with appropriate access easements and maintenance agreements, to limit possible traffic hazards on the street. Where applicable, driveways shall be designed and arranged to avoid vehicles backing onto primary roads.
- x. Lots/building sites shall be laid out to provide positive drainage away from all buildings, and individual lot/building site drainage shall be coordinated with the general storm drainage pattern for the area. In no event shall sheet drainage from an individual lot/building site onto an adjacent lot, parcel or building site exceed the runoff rate which existed prior to development. Drainage shall be designed to avoid concentration of storm water runoff from or across individual lots/building sites and onto adjacent lots, parcels or building sites. If concentrated flow is unavoidable or pre-existing, an engineered solution is required (i.e., designated swales or engineered drains).
- xi. Lots/building sites adjacent to storm water management areas shall be restricted so that the lowest structural opening is at least two feet above the designed high-water mark or the one percent chance rainfall event (whichever is greater) of the adjacent water management area. A note shall be placed on the plat/plan to that effect.

- xii. The subdivision/site condominium design shall be such that lots/building sites across from a "T" intersection shall be off set from the perpendicular street to reduce impacts of vehicular traffic on the principal building.



F. Blocks.

- i. Blocks in residential areas shall not exceed 1,320 feet in length. The Sands Township Board, after recommendation from Sands Township's Zoning Administrator and Planning Commission, may require roundabouts at intervals of no less than 660 feet to ensure adequate fire and emergency vehicles access.
- ii. Blocks shall have sufficient width to provide for two tiers of lots/building sites of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to primary or secondary roads, railroads, or waterways.

G. Entryways.

- i. The new right-of-way extending perpendicular from a county primary or secondary road must be a minimum of 66 feet in width, with an additional 10 feet on both sides to accommodate easements or a general common element for the purpose of landscaping, and an additional 10 feet on both sides for private utility easements extending at least 180 feet for a primary road and 160 feet for a secondary road from the centerline of the County right-of-way.
- ii. A common open space element within the first 50 feet must be developed to define the entry into the subdivision/site condominium. This common open space element shall also be provided along all exterior site boundaries containing frontage on a county primary or secondary road. For an OSP: Open Space Preservation development, the common open space element must be 100 feet.

H. Road Rights-of-Way.

- i. The arrangement of roads shall provide for their continuation between adjoining properties. Continuation of roads is necessary for movement of traffic, emergency services, and efficient provision of utilities.
- ii. Roads interior to the subdivision/site condominium shall be designed to discourage through traffic.
- iii. Where adjoining properties are undeveloped and the road must temporarily be a dead-end, the 66-foot right-of-way shall be extended to the property line to make provision for the future continuation of the road. The dead-end shall be designed as either a stub road or a cul-de-sac per Marquette County Road Commission standards but shall not allow access or be considered frontage for the adjacent undeveloped property.
- iv. Where a road is not intended to extend beyond the boundaries of the subdivision/site condominium and its continuation is not required by Sands Township for access to adjoining properties, its terminus shall be at least 50 feet from such boundary. A cul-de-sac turnaround shall be provided at the end of the permanent dead-end road in accordance with Marquette County Road Commission standards. Sands Township may require an easement or a reservation of easement to accommodate drainage facilities, pedestrian access, or utilities.
- v. Privately held reserve strips or outlots controlling access to roads shall be prohibited.
- vi. For all county primary roads, a 50-foot right-of-way from the centerline of the right-of-way shall be provided to accommodate a 100-foot right-of-way at the time of development or a time in the future when the other side of the right-of-way is expanded. All other rights-of-way within or abutting subdivisions/site condominiums shall not be less than 66 feet in width. A 10-foot-wide easement is required on both sides of the public right-of-way for the purpose of private utilities.
- vii. A dead-end road (whether temporary or permanent) in excess of 660 feet in length as measured from the nearest right-of-way or private street easement shall be prohibited except upon recommendation from the Sands Township Zoning Administrator and Planning Commission and approval from the Sands Township Board, to be granted only where the topography of the area, lakes, streams, other natural conditions or the prior development of the area cause practical difficulties in layout, and a dead end road in excess of 660 feet can be granted without creating a safety hazard.

- viii. All roads shall be constructed to Marquette County Road Commission standards, including traffic control devices and signs.
- ix. Not more than two streets shall intersect at any one point unless specifically approved by the Township in cases of a traffic circle or roundabout.
- x. Not less than two primary points of ingress and egress shall be provided for subdivisions/site condominiums containing 50 or more residential lots/building sites. Where adjoining areas are undeveloped and two access points cannot be practicably developed as determined by the Sands Township Zoning Administrator and Planning Commission, a temporary dead-end street designed for the provision of a future access point shall be required.
- xi. Road grades shall be related appropriately to the original topography. All roads shall be arranged to locate as many lots/building sites as possible at, or above, the grades of the roads. Lots/building sites with grades lower than the street may be allowed provided adequate drainage is demonstrated in the design to the satisfaction of the Zoning Administrator. In addition, the right-of-way shall be prepared in such a way to ensure proper sidewalk continuity and accessibility that is ADA compliant. Grading and centerline gradients shall be in accordance with plans and profiles approved by the Marquette County Road Commission.
- xii. Concrete curbing shall be installed throughout the entirety of the road. Curb cuts and sidewalk ramps shall be integral to the construction of the concrete curb.
- xiii. Private Roads. Private roads may be allowed by the Sands Township Board, after recommendation from the Sands Township Zoning Administrator and Planning Commission, for a site condominium if they will not adversely affect public health, safety, or welfare. In determining whether private roads are allowable, the following shall be required:
- a. All private roads must be established by recorded easement of a 66-foot right-of-way that indicates the responsible party for the private road maintenance.
 - b. The master deed must include any private road easements and who is responsible for maintaining the private road.
 - c. The master deed must also authorize the Township to make required repairs to the private road, if necessary, with the cost assessed equally to each property owner within the site condominium.

- d. The private road must be constructed to Marquette County Road Commission standards for design, except that pavement width may be reduced by four feet if approved by the Sands Township Board, after recommendation from the Sands Township Planning Commission.
 - e. A 10-foot-wide easement is strongly recommended adjacent to the private road right-of-way for private utilities.
- xiv. All road numbers shall be provided by the Marquette County Road Commission, with recommendations from the Sands Township Zoning Department. Addresses and road names will be assigned by Sands Township with Marquette County approval.

I. Lighting.

- i. Light fixtures shall be placed at any intersection with a county primary or secondary public road.
- ii. Light fixtures shall be full cut-off design and mounted to be parallel to the ground.
- iii. If lighting along the roadway is proposed internal to the subdivision/site condominium, it shall be designed to promote safe movement of pedestrians and vehicular traffic. The street lighting system shall consist of poles placed at points of road intersection, at dead ends, and other areas as may be recommended by the Sands Township Planning Commission for the purpose of addressing safety concerns. An example of an area that may necessitate additional street lighting to address safety concerns is horizontal curvature of the roadway not at an intersection.
- iv. The Sands Township Planning Commission may accept a lighting plan prepared by the appropriate local utility having jurisdiction. Such plans shall indicate: the type of poles and luminaries to be used; the placement of all light fixtures; and the expected lighting levels.
- v. All street lighting shall be included in a special assessment district as part of the subdivision/site condominium approval.

J. Nonmotorized Facilities.

- i. Sidewalks not less than four feet in width shall be included within the dedicated non-pavement portion of the right-of-way on both sides of all roads within a subdivision/site condominium. The Sands Township Planning Commission may approve an 8-foot-wide paved pathway on one side of all roads as an alternative.

- ii. All barrier free standards for sidewalks required by the American with Disabilities Act shall be met. Barrier free crosswalks shall be required at all intersections where sidewalks are located.
- iii. If applicable to the subdivision/site condominium based on the Sands Township Zoning Ordinance, a nonmotorized trail shall be established. Construction of nonmotorized trails shall comply with Zoning Ordinance Article III: Section 316 (Trails).
- iv. If any nonmotorized facility is located outside of a road right-of-way, it shall be dedicated as either a private (sole use of the project residents) or public facility, with an easement noted on the plat/plan.
 - a. For public and private infrastructure within a site condominium, the nonmotorized facility shall be dedicated as a general common element in the master deed with maintenance the responsibility of the homeowners association or Condominium Association, whichever applies.
 - b. For public and private infrastructure within a subdivision, the nonmotorized facility shall be dedicated through an easement with maintenance either the responsibility of a homeowners association, the Condominium Association, or the lots immediately adjacent to the facility.
 - c. Easement documents are to be recorded with the Marquette County Register of Deeds.

K. Natural Features

- i. Water Resources. The provisions herein shall apply to development adjacent to any water resources such as a lake, pond, stream, river, wetland and adjacent to the 100- year floodplain.
 - a. Erosion control protection measures shall be provided for developments that include lakes, ponds, or streams in accordance with the Marquette County Drain Commissioner's requirements, State of Michigan Department of Natural Resources (DNR) requirements, and Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act.
 - b. If development causes any disturbance within the upland buffer area of a lake, pond, or stream, the proprietor shall undertake restoration and mitigation measures to restore any damaged or lost natural resources.

- c. No buildings for residential purpose shall be located on any portion of a lot located in a floodplain, unless approved by the Michigan DNR and the Department of Environment, Great Lakes, and Energy (EGLE).
 - d. All other applicable requirements within the Zoning Ordinance shall be adhered to.
- ii. Connectivity. Plats/plans shall be designed so that open space or natural areas preserved within the development shall connect to open space or natural feature areas located on adjacent developments, where present. Such connections shall be maintained to allow for the continuance of existing wildlife movement and to enhance the opportunity to establish new connections and greenway corridors.
- iii. Construction Requirements.
 - a. No construction activity of any kind, including grading, excavation, stockpiling of fill material, or storage of building equipment, supplies or vehicles shall be permitted in those areas of the site preserved in their natural state.

L. Landscaping

- i. Large deciduous trees shall be planted along the right-of-way of roads internal to the subdivision/site condominium. One canopy tree shall be planted for every lot/building site. The tree shall be located no farther than fifteen feet outside of the public road right-of-way. For private roads, the tree may be planted between the road pavement and sidewalk if it will not create utility conflicts, but no farther than fifteen feet outside of the private right-of-way line. A waiver may be granted by the Sands Township Planning Commission as part of the Step 1 process if there are trees growing along the right- of-way which are intended to be preserved and, in the opinion of the Sands Township Planning Commission, comply with these regulations.
- ii. To preserve viewsheds on Sands Township primary and secondary roads that abut subdivisions/site condominiums, a 20-foot buffer shall be preserved measured from the county primary or secondary right-of-way and included within the 50-foot common open space element. To the extent feasible, existing trees and vegetation found outside of the road right-of-way shall be preserved to provide screening from the roadway. One new large deciduous canopy tree and two small deciduous flowering trees shall be planted for every 50 feet of frontage. The Sands Township Planning Commission may grant a waiver from the new planting requirement as part of the Step 1 process if, in the opinion of the Sands Township Planning Commission, existing trees found outside of the road right-of-way can be shown to adequately meet this requirement.

iii. New vegetation required pursuant to this subsection shall be planted as follows:

- a. Large deciduous tree shall be at least 2.5-inch caliper and small flowering deciduous trees shall be at least two-inch caliper at a point on the trunk six inches above the ground.
- b. Large evergreen trees shall be six feet in height and small evergreen trees shall be at least 36 inches in height.

M. Common Elements. All general and limited common elements must be clearly defined on the plat/plan. Ownership and maintenance of the common elements must be established, and legal responsibility clearly detailed through the appropriate legal documents depending on the type of development.

N. Monuments and Lot Pins.

- i. Monuments shall be in the ground at all angles in the boundaries of the subdivision/site condominium; at the intersection lines of streets; at the intersection of the lines of streets with the boundaries of the subdivision/site condominium; at all points of curvature, points of tangency, points of compound curvature, points of reverse curvature and angle points in the side lines of streets; and at all angles of an intermediate traverse line.
- i. All monuments used shall be made of solid iron or steel bars at least 1/2 inch in diameter and 36 inches long and completely encased in concrete at least 4 inches in diameter.
- ii. All lot/building site corners shall be monumented in the field by iron or steel bars or iron pipes called lot pins that are at least 18 inches long and ½ inch in diameter.
- iii. All monuments and lot pins shall be placed flush with the ground.

8. Homeowners Association and Site Condominiums. A homeowners association, or HOA, is an organization in a subdivision, planned community, or condominium that makes and enforces rules for the properties and residents. Homeowners associations are run by a board of directors comprised of residents and typically collect monthly or annual fees to pay for common area maintenance and the upkeep of facilities. Those who purchase property within an HOA's jurisdiction automatically become members. Site Condominiums are governed by the Michigan Condominium Act, MCL 559.101 et seq. Site Condominiums are run by a Condominium Association comprised of residents and typically collect monthly or annual fees to pay for common area maintenance and the upkeep of facilities. Those who purchase property within a Site Condominium's jurisdiction automatically become subject to the Condominium Act and the Condominium Association. Neither HOAs nor Site Condominiums supersede local zoning.

9. Approval Procedures.

The preparation of a subdivision plat/site condominium plan shall be carried out in accordance with the following steps:

- Pre-Application Review (voluntary)
- Step One: Tentative Preliminary Plat/Plan
- Step Two: Preliminary Plat/Plan
- Step Three: Final Plat/Plan

These steps are cumulative, resulting in one subdivision/site condominium plan set that includes all three steps of the process. While each step has specific information that must be provided, the aggregate in its totality will govern the development of the subdivision/site condominium. For example, zoning information is not often shown on Step 3 plans (which are as-builts), however the zoning or design and layout requirements provided or conditioned on the plans as part of Step 1 or 2 approvals continue to be binding on the development.

A. Pre-Application Review.

An applicant may request an initial voluntary pre-application review meeting take place by submitting a written request and a copy of the concept plan for the subdivision plat/site condominium plan to Sands Township. This pre-application meeting will be with the Township Zoning Administrator and Fire Chief, and any other staff specifically requested. The purpose of the meeting is to conduct an informal review of the concept design for the plat/plan.

An applicant may also request general input from the Sands Township Zoning Administrator and Planning Commission on a concept design for a subdivision plat/site condominium plan prior to the submission of a formal application. The applicant may submit the concept design in sketch format without meeting the formal requirements of this Section. The general discussions of the Sands Township Zoning Administrator and/or Planning Commission shall not in any way be binding upon the Sands Township Planning Commission at the time of its final review and recommendation.

B. Step One: Tentative Preliminary Plat/Plan.

A tentative preliminary plat shall be required for a subdivision application and a tentative preliminary plan shall be required for a site condominium application, with the following requirements:

i. Filing Procedure.

- a. Submittal of a review and escrow fee as determined by resolution of the Sands Township Board based upon the cost of processing the application and as on file with the Sands Township Clerk for public information. An escrow account will be established to cover the actual costs for the Township Attorney, and any outside consultants, as needed. Residual escrow fees will be returned to the applicant.

- b. One copy of the completed application form, including any required attachments.
 - c. A digital PDF of the proposed tentative preliminary plat/plan, plus at least four paper copies. The need for additional copies to be determined by the Sands Township Zoning Administrator.
 - d. Documentation. Any additional documentation as required by this Section.
- ii. Tentative Preliminary Plat/Plan Requirements. A tentative preliminary plat/plan shall be submitted pursuant to the requirements below and as required by *Subsection 7: Design and Layout Standards* herein.
- a. All plats/plans are to be drawn on uniform sheets.
 - b. The name of the project, name and address of the preparer, and date prepared.
 - c. All plats/plans shall be of a scale not less than one-inch equals fifty feet and in sufficient detail that the reviewing body can readily interpret the plat/plan.
 - d. All plats/plans are to be accurately sealed by an engineer, architect, surveyor, or licensed landscape architect, as appropriate for the plats/plans provided.
 - e. Existing conditions sheet.
 - (1) Full legal description of the subject property, and name of the township (Sands) and county (Marquette).
 - (2) Vicinity map showing the location of the subject property in relation to the surrounding street system.
 - (3) Property lines of adjacent tracts of subdivided and unsubdivided land shown in relation to the subject property, including those across abutting roads and rights-of-way.
 - (4) Zoning of subject property and all adjacent lands.
 - (5) Location of natural features as required by *Subsection 7: Design and Layout Standards* herein.

- (6) Existing rights-of-way and easements within the subject property.
 - (7) Adjacent rights-of-way or easements, including the location of existing drives on the frontage adjacent and opposite the subject property to be developed.
 - (8) Location of existing sewers, water mains, drainage pipes, and other aboveground and underground utilities within or adjacent to the subject property.
 - (9) Existing topography at two-foot contour intervals, and its relationship to adjoining land (arrows should indicate direction of drainage).
- f. Subdivision plat/condominium plan sheet.
- (1) Tentative plans showing the feasibility of the development of adjoining land if the developer owns and anticipates future development of said land.
 - (2) Adjacent rights-of-way or easements, including the location of existing drives on the frontage adjacent and opposite the subject property to be developed.
 - (3) Location and dimensions of existing and proposed rights-of-way and easements for sewers, water mains, drainage pipes, and other underground utilities within or adjacent to the subject property.
 - (4) Grading plan illustrating existing and proposed contours at two-foot intervals, and its relationship to adjoining land (arrows are also helpful to indicate direction of drainage).
 - (5) Location of natural features intended for preservation.
 - (6) Location and type of required landscaping.
 - (7) Percentage of land reserved for open space, where applicable.
 - (8) Indication if individual lots/building sites will be served by wells and septic systems.
 - (9) General location and type of storm water management.
 - (10) Dwelling unit density.

- (11) Road layout and dimensions, including connections to existing streets and placement of stub streets into adjacent properties.
 - (12) Location and dimensions of nonmotorized and/or pedestrian pathways, including sidewalks.
 - (13) Indication of lots/building sites, showing size and shape, and dimension of building area, frontage, and square footage calculations.
 - (14) Any additional requirements of *Subsection 7: Design and Layout Standards*, as applicable.
- iii. Process. The Sands Township Clerk, upon receipt of the application and tentative preliminary plat/plan, shall request the Planning Department to:
- a. Review the application for completeness.
 - b. Schedule the tentative preliminary plat/plan before the Sands Township Planning Commission, who shall act within 30 days on a complete application, which shall be determined by the Township Zoning Administrator
 - c. Forward the tentative preliminary plat/plan application and all supporting documentation to the applicable Township departments and/or consultants who shall review the materials and return written comments to the Sands Zoning/Planning Department.
 - d. Hold a review meeting with the applicant to include the Sands Township Zoning Administrator, Township Fire Chief, any other consultant requested to attend.
 - e. Notify the applicant in writing of the comments reviewed and/or changes which need to be made to the tentative preliminary plat/plan.
 - f. If revised plats/plans are required, the applicant shall resubmit within the time frame provided by the Zoning/Planning Department. The Sands Township Zoning Administrator will determine which Sands Township departments and/or consultants require a second review. Any final comments will be provided to the applicant prior to the Sands Township Planning Commission meeting.
 - g. The applicant shall be notified of the date, time, and place of the hearing not less than 15 days prior to such date.

- h. Notice of said hearing, including the date, time, and place of the hearing, shall be mailed to the applicant, proprietor, and all property owners within 300 feet of the proposed plat/plan as well as published in a newspaper of general circulation not less than 15 days before the hearing.

iv. Planning Commission Review.

- a. The Sands Township Zoning Administrator shall provide a Staff Report to the Sands Township Planning Commission that consolidates departmental and/or consultant comments and any additional information needed for the Sands Township Planning Commission to make an informed review.
- b. The Sands Township Planning Commission shall hold the required public hearing, allowing public comments to be entered into the meeting record.
- c. The Sands Township Planning Commission shall determine whether said proposed tentative preliminary plat/plan complies with all Township Ordinances, including the zoning district requirements as they relate to the development of a subdivision/site condominium and referenced herein, which has been adopted in conformance with the Sands Township Master Plan and all state statutes.
- d. Should the Sands Township Planning Commission find that the tentative preliminary plat/plan meets these requirements, it shall approve or approve with conditions, and direct the Sands Township Zoning Administrator to notify the applicant of the same.
- e. Should the Sands Township Planning Commission find that the tentative preliminary plat/plan does not conform substantially to the requirements of this Ordinance and all other ordinances by reference, and that it is not acceptable, it shall record the reason in the official minutes and forward same together with all accompanying data to the applicant. The Sands Township Planning Commission may also table the tentative preliminary plat/plan until the objections causing disapproval are changed to meet the requirements of this Section and all other ordinances by reference.
- f. Approval of the tentative preliminary plat/plan from the Sands Township Planning Commission shall be effective for a period of 12 months from the date of approval and confers upon the applicant approval of lot/building site size, orientation, street layout, and other design considerations of the subdivision/site condominium. Should the preliminary plat/plan in whole or in part not be submitted for review within this time limit, the tentative preliminary plat/plan must again be submitted to the Sands Township Planning Commission for review and approval.

- g. Approval of the tentative preliminary plat/plan shall not constitute final approval of the preliminary plat/plan.
- v. Extensions. The Sands Township Planning Commission may grant an extension of the tentative preliminary plat/plan approval (Step 1) for a period of up to 12-months if the request is made by the proprietor or applicant before the end of the initial approval period.

C. Step Two: Preliminary Plat/Plan.

- i. Filing Procedure.
 - a. Submittal of a review fee as determined by resolution of the Sands Township Board based upon the cost of processing the review and as on file with the Sands Township Clerk for public information.
 - b. Submittal of an escrow account against which actual fees for the Township Attorney, and/or any outside consultants, as needed, will be charged. Escrow fees will be determined by the Sands Township Zoning Administrator after consultation with the Sands Township Attorney based on the expected complexity of the preliminary plat/plan review and the need for on-site visits during the construction of improvements. Residuals will be returned to the applicant.
 - c. Two copies of the completed application form, including any required attachments.
 - d. A digital PDF of the proposed tentative preliminary plat/plan, plus additional paper copies the number of which to be determined by the Sands Township Zoning/Planning Department.
 - e. Copies of the required approvals from all applicable authorities. These include, but may not be limited to, the Marquette County Road Commission; Marquette County Drain Commissioner; Marquette County Department of Health and Community Services; and the Department of Environment, Great Lakes, and Energy (EGLE).
 - f. Any additional documentation as required by this Section.
- ii. Preliminary Plat/Plan Requirements. Engineered plans shall be submitted pursuant to the requirements below and as required by *Subsection 7: Design and Layout Standards*:
 - a. The requirements of tentative preliminary plat/plan unless modified by this subsection and all conditions of Step One approval.

- b. Finalized grading plan showing proposed and existing elevations, including management of water for the entire site.
- c. Finalized storm water management system for the entirety of the site, including plan and profile of drainage infrastructure, any easements, open drains, basin details, etc., and finalized points of discharge for all drains and pipes. Any required private or public agency storm water agreements shall be included in draft form. The following local agencies are common participants: Marquette County Drain Commission, Marquette County Road Commission.
- d. Incorporation of any wellhead protection standards, if applicable.
- e. Temporary and permanent soil erosion controls.
- f. Finalized road and nonmotorized facilities layout, including connections to existing streets and placement of stub streets into adjacent properties, approved by the Marquette County Road Commission.
- g. Finalized road and nonmotorized facilities layout, including connections to existing streets and placement of stub streets into adjacent properties, approved by the Marquette County Road Commission.
- h. Finalized street names approved by Sands Township Board of Trustees, and Marquette County.
- i. Layout of well and/or septic, dry well or tile field based on requirements from the appropriate Marquette County agency, if applicable.
- j. Location of water lines, including the proposed service and hydrants or other appurtenances as required by the Fire Department, if applicable, and approved by the Sands Township Fire Chief.
- k. Finalized location of sanitary sewer lines, including the size of proposed service, if applicable, and approved by the appropriate agencies.
- l. Location of easements for public infrastructure.
- m. Location of easements for private utility infrastructure, such as telephone, electric, cable, gas, etc.
- n. Location and detail of proposed streetlights.
- o. Location of road signs.

- p. Standard details for shared and common infrastructure improvements to be installed by the proprietor.
 - q. Local standard specifications of the appropriate agency shall be identified and referenced where applicable.
- iii. Process. The Sands Township Zoning Administrator, upon receipt of the application and preliminary plat/plan, shall:
 - a. Review the application for completeness.
 - b. Forward the preliminary plat/plan application and all supporting documentation to the applicable Township departments and/or consultants who shall review the materials and return written comments to the Township Zoning Administrator.
 - c. Notify the applicant in writing of the comments received or if changes need to be made to the preliminary plat/plan.
 - d. If a revised plat/plan is required, the applicant shall resubmit within the time frame provided by the Zoning/Planning Department. The Township Zoning Administrator will determine which Township departments and/or consultants require a second review. Any final comments will be provided to the applicant prior to the Township Board meeting.
 - e. The Planning Commission shall make a recommendation on the preliminary plat/plan at its next regular meeting or at a meeting called within 30 days of the submission of a complete preliminary plat/plan and all necessary supporting documentation.
- iv. Planning Commission Review.
 - a. The Township Zoning Administrator shall provide a Staff Report to the Planning Commission that consolidates departmental and/or consultant comments, and any other information needed for the Planning Commission to make an informed decision.
 - b. If the preliminary plat/plan conforms substantially to the plat/plan tentatively approved by the Planning Commission and meets all conditions outlined for approval, the Planning Commission shall make a recommendation of approval or approval with conditions of the preliminary plat/plan to the Township Board.

- c. Should the Planning Commission find that the preliminary plat/plan does not conform substantially to the requirements of this Section and all other ordinances by reference, and that it is not acceptable, it shall record the reason in the official minutes and forward same together with all accompanying data to the Township Board and applicant.
 - d. The Planning Commission may also table the preliminary plat/plan until the objections causing disapproval are changed to meet the requirements of this Section and all other ordinances by reference.
- v. Township Board Review.
 - a. The preliminary plat/plan shall be placed on the next available Township Board agenda or within 20 days of the Planning Commission review.
 - b. The Township Zoning Administrator shall provide a Staff Report to the Township Board that consolidates Planning Commission comments and recommendation, departmental and/or consultant comments, and any other information needed for the Township Board to make an informed decision.
 - c. If the preliminary plat/plan meets all conditions outlined for final approval, the Township Board shall give final approval or final approval with conditions to the preliminary plat/plan.
 - d. The Township Clerk shall request the Township Zoning Administrator notify the applicant of approval, approval with conditions, or rejection in writing; if rejected, reasons shall be given.
 - e. The Township Board may also table the preliminary plat/plan to allow the applicant time to resolve any issues which may be preventing approval.
 - f. The effective period of preliminary plat/plan shall be for 24 months from the date of the Township Board approval. It shall confer upon the proprietor the right that the general terms and conditions under which preliminary approval was granted shall not be changed.
 - g. If substantial infrastructure development progress has not been made within the 24-month period, the preliminary plat/plan shall become void, and the applicant will be required to receive Planning Commission and Township Board approval to continue. Substantial progress shall be defined as completion of site grading.

- h. No installation or construction of any improvements shall be made before the preliminary plat/plan has received final approval by the Township Board, and any required deposits have been received by the Township.
- vi. Addressing. Immediately following Township Board approval, the applicant shall submit the Step 2 approved plan to the Township Zoning Administrator for address assignment.
- vii. Extensions. The Township Board may grant an extension of the preliminary plat/plan approval (Step 2) for a period of up to 12-months if the request is made by the proprietor or applicant before the end of the initial approval period.

D. Step Three: Final Plat/Plan.

- i. Filing Procedure.
 - a. Submittal of a review and escrow fee as determined by resolution of the Township Board based upon the cost of processing the application and as on file with the Township Clerk for public information. An escrow account will be established to cover the actual costs for the Township Attorney, and any outside consultants, as needed. Residual escrow fees will be returned to the applicant.
 - b. One copy of the completed application form, including any required attachments.
 - c. A PDF of the survey and true copy of the final plat/plan prepared by the surveyor in accordance with the Township approved preliminary plat/plan and all the requirements of the Land Division Act, P.A. 288 of 1967 and the Condominium Act, P.A. 59 of 1978 and as thereafter amended. The number of copies to be determined by the Township Zoning/Planning Department.
 - d. Evidence that all requirements imposed by the Township Board at the time of the preliminary approval have been incorporated into the proposed plat/plan.
 - e. An abstract of title or title insurance policy showing merchantable title in the proprietor of the subdivision.
 - f. Copies of the required approvals and/or executed agreements from all authorities required in sections 112 to 119 of the Land Division Act (MCL 560.112—560.119). The applicant shall also provide approved copies of plats/plans from each of the required authorities.
 - g. Documentation that the developer is responsible for the maintenance or repair of any sidewalk or nonmotorized path/facility for a period of one year from the date of final inspection and approval by the Township. A letter acknowledging this requirement shall be provided.

- h. A legal opinion from the Township Attorney showing the legal owners of the land to be platted and/or developed, plus all grants, reservations, deed restrictions and easements of record which condition the use of the property.
 - i. Master deeds, bylaws and any other pertinent exhibits required of a site condominium per Condominium Act, P.A. 59 of 1978, as applicable.
 - ii. Process. The Township Clerk, upon receipt of the application and final plat/plan, shall request the Zoning/Planning Department to:
 - a. Review the application for completeness.
 - b. Forward the final plat/plan application and all supporting documentation to the Township Attorney who shall review the materials and return written comments to the Township Zoning Administrator.
 - c. Forward the final plat/plan application, exhibit B of the master deed, and all supporting documentation to the Township Zoning Administrator who shall review the materials, complete an on-site review, and return written comments to the Zoning/Planning Department.
 - d. Notify the applicant in writing of the comments received or if changes need to be made to any of the final documents.
 - e. If revised documents are required, the applicant shall resubmit within the time frame provided by the Zoning/Planning Department. Zoning/Planning staff will determine which Township departments and/or consultants require a second review. Any final comments will be provided to the applicant prior to the Township Board meeting.
 - f. The Township Board shall act on the final plat/plan and any supporting documents at its next regular meeting or at a meeting called within 30 days of the submission of a complete final plat/plan and all necessary supporting documentation.
- iii. Township Board Review.
 - a. The Township Zoning Administrator shall provide a Staff Report to the Township Board that consolidates departmental and/or consultant comments and any other information needed for the Township Board to make an informed decision for either approval or denial of the final plat/plan, and any supporting documents.

- b. The Township Board shall review the proposed final plat/plan and determine that:
- (1) All monuments required to be placed have either been placed or a cash or equivalent deposit has been made with the Township and Deposit Agreement executed by the proprietors to allow placement of monuments and lot pins within six months of Step 3 approval.
 - (2) All road, streets, bridges, and culverts have been completed and approved by the Marquette County Road Commission. The plat/plan shall include all streets and roads by their widths, and names. All curved portions shall be defined by curved data including points of curvature, radii of curves, and the length of bearing of its long chord.
 - (3) If any flood plain is involved in the proposed plat/plan, then such flood plain shall be restricted as provided by the Land Division Act, and such restrictions shall be submitted to the Michigan Department of Environment, Great Lakes, and Energy (EGLE) and Marquette County Drain Commissioner for review and approval prior to recording and thereafter shall be recorded in the Office of the Register of Deeds as part of the plat/plan.
 - (4) All utilities servicing the plat/plan have been installed, and public water and sanitary sewer mains have been stubbed to the lots/building sites, are available for connection, and easements dedicated.
 - (5) All underground utility installations, including lines for street lighting systems, which traverse privately-owned property shall be protected by easements granted by the proprietor and approved by the public utility. These easements shall be recorded as part of the plat/plan as private easements for public utilities or easements provided by separate instrument.
 - (6) All public improvements, such as streetlights, fire hydrants, etc., which have been required by the Township Board, have been completed and installed and reviewed and approved by the Township Zoning Administrator.
 - (7) All stormwater management improvements have been completed and any agreements resolved with the Marquette County Drain Commissioner, if applicable. For private systems, dedication to the homeowners association, with requirements for maintenance outlined in the HOA's bylaws, or the Site Condominium with requirements for maintenance outlined in the master deed documents, whichever is applicable

- c. The proposed final plat/plan has complied with all applicable state statutes and Township Ordinances and has received the requisite statutory approval from other governmental agencies. If the final plat/plan conforms substantially to the approved preliminary plat/plan, including plans for utilities and other improvements, and meets the requirements outlined herein, the Township Board shall grant final approval of the subdivision plat/condominium plan.
 - d. The Township Clerk shall request the Township Zoning Administrator to notify the applicant of approval in writing; if rejected, reasons shall be given. The Clerk shall note all proceedings in the minutes of the meeting, which minutes shall be open for inspection.
 - e. Upon the approval of the final plat/plan by the Township Board, two prints of the final plat/plan and as-built drawings in PDF format of the public water and sewer mains, prepared to scale, shall be forwarded to the Township. Each digital file shall include a minimum of two ties to Government Section Corners. Additionally, the following should be included and provided as their own unique layers in the electronic file: lot/unit numbers; dimensions; lot/building site lines; boundaries; rights-of-way; street names; easements; section lines and section corners; utility lines; adjacent plat corners; and, other information deemed appropriate to the plat.
 - f. The Township Clerk shall execute the Township's certification required for a subdivision plat, which shall show the date of the meeting that plat was approved and the date the certificate was signed.
 - g. The plat/plan shall be executed by all required owners and recorded with the Marquette County Register of Deeds and filed with the Township before issuance of any building permits.
10. Amendments to Subdivisions/Site Condominiums. The Township Board, after receiving a recommendation from the Planning Commission, shall approve, deny, or send back to the Planning Commission any amendments to a subdivision plat/site condominium plan. The Planning Commission shall hold a public hearing and public notice shall be given as outlined herein under the Step 1 procedures.
11. Lot/Building Site Division. After a subdivision plat or site condominium master deed has been recorded, the lots/building sites may be divided through the following process:
- A. Administrative Approval. Any re-description that does not result in a net increase in lots/building sites may be approved administratively through the Township's property line adjustment application process.
 - B. Township Board Approval. Any partition, division, or re-description that results in a net increase in lots/building sites must be reviewed by the Zoning Administrator and Planning Commission and approved by the Township Board.

- C. Ordinance Compliance. The resulting lots/building sites shall conform in all particulars to the requirements of this Section, the Land Division Act, the State Condominium Act, and all Township Zoning Ordinances.

12. Noncompliance.

- A. If the proprietor shall fail to complete the public improvements within the time required by any conditions of approval and/or guarantees for completion, the Township Board may proceed to have the improvements completed by utilizing the security which the proprietor has provided.
- B. Any division of land in violation of any provision of this Section shall not be recognized by the Township and building permits shall not be issued. The Township shall further have the authority to initiate injunctive or other relief to prevent any violation or continuance of any violation of this Section.
- C. Any person, firm, corporation, or other entity violating this Section shall also be subject to the penalties provided in this Chapter.

13. Validity. Should any subsection, clause, or provision of this Section be declared by the Court to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be invalid.
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Section 2.2: Definitions

Applicant means a property owner or any person or entity acting as an agent for the property owner in an application for development proposal, permit, or approval.

Basin, detention means a flood control device designed to hold storm water runoff, detaining it for a period of time before ultimately slowly discharging the water.

Basin, retention means a flood control device that holds a permanent pool of water generally known as a wet storm water basin. The level of water in the basin is maintained by design. This may include setting an outlet structure above the natural groundwater elevation or constructing the retention basin with an impermeable bottom.

Basin, storm water management means a land feature designed and constructed for the purpose of storm water management. Its function is the mitigation of development impacts which inhibit natural infiltration of precipitation into native soils, and which increase storm water runoff volumes and rates of flow. When designed in accordance with best management practices, basins also provide pollutant removal and aesthetically pleasing wet-habitat functions. Detention and retention basins are forms of storm water management basins.

Block means property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and any other barrier, natural or man-made, to the continuity of development.

Building site means that portion of property which is a two-dimensional condominium unit of land (i.e., envelope, footprint), along with any designated space above or below the land within a site condominium development, designed for the construction of a principal building and accessory structures. All building sites shall have frontage on a public or private street as required by the Zoning Ordinance.

Common element means the portions of a condominium project other than the condominium units and are owned and maintained by the condominium association.

Condominium means a Site Condominium governed by the Michigan Condominium Act, MCL 559.101 et seq. Site Condominiums are run by a Condominium Association comprised of residents and typically collect monthly or annual fees to pay for common area maintenance and the upkeep of facilities. Those who purchase property within a Site Condominium's jurisdiction automatically become subject to the Condominium Act and the Condominium Association.

Condominium, contractible means a condominium project from which any portion of the submitted land or buildings may be withdrawn pursuant to the expressed provisions in the site condominium documents and in accordance with this Section and the Condominium Act.

Condominium, expandable means a condominium project to which additional land may be added in accordance with this Section and the Condominium Act.

Developable land means land that is not currently developed, does not have any approved site plan, subdivision plat, or site condominium plan, or is not encumbered by impediments for development and is available for development consistent with the Township Master Plan.

Developer means a person, partnership, corporation, or other entity engaged in the improvement of property.

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

Homeowners association, or HOA, means an organization in a subdivision, planned community, or condominium that makes and enforces rules for the properties and residents. Homeowners associations are run by a board of directors comprised of residents and typically collect monthly or annual fees to pay for common area maintenance and the upkeep of facilities. Those who purchase property within an HOA's jurisdiction automatically become members.

Improvement means additions to the natural state of land which increases its value, utility, or habitability, such as grading, street surfacing, sidewalks, water or sanitary sewer infrastructure, storm management, utilities, or building construction.

Lot means a single unit or division of land, whether it be numbered, lettered, or otherwise designated, which has frontage on a public or private road for the construction of a principal building and any accessory buildings. For ease of use, “lot” is utilized herein to encompass a parcel of unplatted land, a platted subdivision lot, or a unit in a site condominium subdivision unless the term for parcel or building site is expressly used.

Lot, reverse frontage means a lot where the front yard is not considered adjacent to the road right-of-way but is located adjacent to an aesthetic or natural feature, typically a lake.

Master deed, consolidating means the final amended master deed for a contractible site condominium project, an expandable site condominium project, or a site condominium project containing convertible land or convertible space, which shall describe the condominium project as complete and shall supersede any previously recorded master deed for the condominium and all prior amendments.

Master plan means a comprehensive plan adopted by the Township in accordance with the Michigan Planning Enabling Act, PA 33 of 2008, to satisfy the requirement of section 203(1) of the Michigan Zoning Enabling Act, 2006 PA 110, MCL 125.3203, including recommendations for the physical development of the Township, any plans separately adopted, and any amendments to such plan duly adopted by the Township.

Outlot means an unbuildable lot set aside for purposes other than single-family construction and is typically dedicated for public use or reserved for private use when included within the boundary of a recorded subdivision or site condominium.

Parcel means a continuous area, tract, or acreage of real property measured in distances, angles, and directions which results in a legal description that is recorded in the official county record pursuant to, and/or in accordance with the Land Division Act, P.A. 288 of 1967, as amended and which has been created through an unplatted division of land.

Plat means a map, chart, or plan of a subdivision of land as required for the development of lots, and includes the following:

- A. Tentative preliminary plat means a plan indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for planning review and to meet the requirements and procedures set forth in Article 6 of this Chapter.
- B. Preliminary plat means an engineered plan based on the tentative preliminary plat and prepared in conformance with the Land Division Act and Article 6 of this Chapter showing

the salient features of a proposed subdivision to allow approval of infrastructure construction.

- C. Final plat means an as-built plan of a subdivision based on the preliminary plat and prepared in conformance with the requirements of the Land Division Act and Article 6 of this Chapter, and suitable for recording by the County Register of Deeds.

Proprietor means a person or firm or combination of either, which may hold any ownership interest in land, whether recorded or not.

Reserve strip means land that is perpendicular to a public street or right-of-way, and which separates the public street or right-of-way from connecting to existing or planned public streets or rights-of-way, or from land to be developed in the future.

Right-of-way means a dedication or easement not associated with a lot which has been established for purposes of public or private access to accommodate vehicular or non-motorized transportation systems and any necessary public infrastructure.

Right-of-way, preserved means land that is designated and available for additional right-of-way on designated County primary roads, ensuring a 50-foot width from the centerline of the road, for a total of 100-feet of right-of-way.

Road means any right-of-way described as a street, avenue, boulevard, lane, parkway, alley, or other way which is an existing state, county, or municipal roadway; or, a street or way shown in a plat/plan approved pursuant to law or approved by official action. A road encompasses the land between the right-of-way lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas, and lawns. Roads include, but are not limited to:

- A. *Primary road* means a right-of-way of significant continuity, which is intended to serve large volumes of traffic for both Sands Township and surrounding region and are designated by the Marquette County Road Commission and Sands Township Master Plan.
- B. *Secondary road* means a right-of-way less heavily traveled than primary roads and are designed to connect neighborhoods to each other and to nearby businesses and are designated in the Sands Township Master Plan.
- C. *Neighborhood road* means a right-of-way internal to a subdivision/site condominium that provides access to residential homes.
- D. *Private road* means a right-of-way approved by the township that is owned and maintained by a property owner association or other non-governmental agency.
- E. *Cul-de-sac road* means a short minor right-of-way having one end permanently terminated by a vehicular turnaround.

F. *Dead-end, permanent* means a right-of-way which is not anticipated to be extended.

Road Commission means the Board of County Road Commissioners for Marquette County.

Site condominium project means a development consisting of not less than two building sites of land established in conformance with, and pursuant to, the Condominium Act, P.A. 59 of 1978, as amended.

Site condominium plan means the plan required for the development of building sites, and includes the following:

- A. Tentative preliminary plan means a plan indicating the proposed layout of the site condominium in sufficient detail to provide adequate basis for planning review and to meet the requirements and procedures set forth in the Sands Township Zoning Ordinance: Article 6.
- B. Preliminary plan means an engineered plan based on the tentative preliminary plan and prepared in conformance with the Condominium Act and Sands Township Zoning Ordinance: Article 6 showing the salient features of the proposed site condominium to allow approval of infrastructure construction.
- C. Final plan means an as-built plan of a site condominium providing substantial conformance to the preliminary plan and prepared in conformance with the requirements of the Condominium Act and Article 6, and suitable for recording by the Marquette County Register of Deeds.

Survey means a certified survey as defined by MCL 54.211 et seq.

Wooded area means a habitat where trees are the dominant plant form. The individual tree canopies generally overlap and interlink, often forming a more or less continuous canopy which shades the ground to varying degrees.

This Ordinance shall take effect on the date after the publication. All Ordinances or parts of Ordinances or other Ordinances in conflict herewith are repealed.

Date: Adopted April 10, 2025

Ordinance Number 60, published, Summary of approved Ordinance 60, in the Mining Journal, April 17, 2025 (MCL 41.184)

ROLL CALL VOTE: YES 5, NO 0.

Darlene Walch yes, Carolyn Kerkela yes, Lee Yelle yes, David Kallio yes, Justin Yelle yes.