

CHAPTER 1244
Platting Procedure

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CROSS REFERENCES

Approval of plats; street system - see M.C.L.A. Sec. 125.43
 Regulations governing subdivision of land; bond to secure improvement; publication of regulations - see M.C.L.A. Sec. 125.44
 Approval or disapproval of plats; procedure; effect - see M.C.L.A. Sec. 125.45
 Certification of city plats - see M.C.L.A. Secs. 125.51 et seq.
 Planning Commission - see P. & Z. Ch. 1220

1244.01 INITIAL PROCEDURES.

The proprietor is encouraged to consult the general development plan and detailed plans of any units of government that affect the tract to be subdivided and the area surrounding it. He or she should also become acquainted with the Zoning Code, these Subdivision Regulations, and other ordinances and requirements which regulate the subdivision of land in the City of Litchfield. He or she should also discuss the concepts of the proposed subdivision with the City Manager, the Planning Commission, and the Region II Planning Commission. (Ord. 1980-2. Passed 5-12-80.)

1244.02 PURPOSE OF PRE-PRELIMINARY PLAT.

The purpose of the pre-preliminary plat stage of the platting process is to acquaint the developer with the planning policies of the City of Litchfield as they apply to the property to be subdivided, and to give the Planning Commission an opportunity to discuss the subdivision with the developer before expensive surveys and drawings are made.

The basic decision as to the interpretation of planning policy for the site in question, and possible modification of such policy as a result of the proposed development, will be made in this procedure. The pre-preliminary plat, when approved, shall form the basis of the preliminary plat.

(Ord. 1980-2. Passed 5-12-80.)

1244.03 SUBMISSION OF PRE-PRELIMINARY PLAT.

Ten copies of the pre-preliminary plat and application therefor, and all fees, shall be submitted to the City Clerk at least ten days prior to the regular Planning Commission meeting at which the plan is to be considered. The Clerk shall check the completeness of the submittal, and, if complete, transmit the same to the Planning Commission in adequate time for inclusion on the agenda for the Planning Commission's next regular meeting. If the application is not complete, the Clerk shall so notify the applicant in writing and shall list the deficiencies. The Planning Commission may require that copies of the plat be submitted to other agencies for review which, in the Planning Commission's opinion, would have an interest in the proposed development.

(Ord. 1980-2. Passed 5-12-80.)

1244.04 INFORMATION REQUIRED ON OR WITH PRE-PRELIMINARY PLAT.

In applying for approval of a pre-preliminary plat, the proprietor shall submit the following information for the entire tract of land, including land to be developed in stages. Information may be combined for presentation on one or more drawings and in sketch form. However, the Planning Commission shall have the authority to request that the information be divided and presented on more maps than those submitted, in the interest of clarity, speed, and efficiency of the Planning Commission's review. All plans shall be drawn to scale.

Because the purpose of the pre-preliminary plat is to discuss the basic concept and layout of the proposed development in relation to existing and future conditions on and around the site, the proprietor shall provide information such as:

- (a) Description of existing and proposed features on and surrounding the site which are of importance to the proposed development, including, but not limited to, a description of the location, nature and extent of natural features, such as large trees or groves of trees, watercourses, vistas, historic spots and features, wildlife habitats and ecological areas, and similar irreplaceable assets.

- (b) General description of topographic and soil conditions on the site (available from Jackson Metropolitan Area Regional Planning Commission and other sources). The location of any areas of land within the proposed subdivision which lie either wholly or partially 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, shall be clearly shown on the pre-preliminary plat.
- (c) A site analysis showing which of the conditions the proprietor intends to retain or modify as part of the subdivision.
- (d) The concept, general layout, and location of the various uses and facilities to be incorporated within the subdivision.
- (e) Stages of development.
- (f) Property dimensions and area.
- (g) Aerial photograph of the site and surrounding area, with the site defined (photos available from the County Drain Commissioner and other sources).
- (h) Environmental statement (can be supplied by the Planning Commission).
(Ord. 1980-2. Passed 5-12-80.)

1244.05 APPROVAL OR DISAPPROVAL OF PRE-PRELIMINARY PLAT BY PLANNING COMMISSION.

(a) The Planning Commission shall review the pre-preliminary plat for conformance to development policies, the Zoning Code, and these Subdivision Regulations, and shall review the manner in which the plan accommodates or modifies the significant features of the tract.

(b) The Planning Commission shall complete its review and act on the pre-preliminary plat within sixty days of the date of filing. The sixty-day review period may be extended by written agreement between the Planning Commission and the proprietor. If the Planning Commission does not act on the plan within the sixty-day period, and if an extension is not agreed to, the pre-preliminary plat shall be deemed to be approved.

(c) Action of the Planning Commission shall consist of approval, conditional approval, or disapproval. In the case of conditional approval, the Planning Commission shall record the conditions in the minutes and on the copies of the approved plat. In both the case of conditional approval and disapproval, the reasons for such action shall be presented to the proprietor in writing and shall be recorded in the minutes of the Commission.

(d) Disapproval of the pre-preliminary plat by the Planning Commission concludes official action thereon. Future consideration by the Planning Commission of a proposed subdivision for the subject property shall require submittal of a new application by the proprietor.

(e) The Chairperson of the Planning Commission shall sign each of five copies of the approved plat and shall cause them to be distributed as follows:

- (1) One copy to the Clerk of the governing body for its information;
- (2) One copy to the School Board offices having jurisdiction in the subject area;
- (3) One copy to the proprietor; and
- (4) Two copies to be retained in the permanent files of the Planning Commission.

(Ord. 1980-2. Passed 5-12-80.)

1244.06 SUBMISSION OF PRELIMINARY PLAT.

The proprietor shall file ten copies of the preliminary plat and two sepias or other reproducible drawings thereof, the application form, and fees, with the Clerk. The application shall be filed in accordance with Section 1244.03.

(Ord. 1980-2. Passed 5-12-80.)

1244.07 INFORMATION REQUIRED ON OR WITH PRELIMINARY PLAT.

The following information shall be required for preliminary plat approval:

- (a) Name of proposed subdivision.
- (b) Legal description of the entire site to be subdivided.
- (c) Date, north point, scale (not more than 200 feet to one inch).
- (d) Name, address, and phone number of the proprietor, other owners, if any, and the planner, engineer, surveyor, or designer who prepared the subdivision layout.
- (e) Names of adjacent subdivisions, layout of streets indicating street names, right-of-way widths and connections with adjoining platted streets, widths and locations of alleys, easements, and public walkways adjacent to or connecting with the proposed subdivision, and lot layout and dimensions of lots adjacent to the proposed subdivision.
- (f) Topography, existing and proposed, at two-foot intervals, with elevations of existing and proposed streets. Proposed grading and landfilling shall be indicated on the plans.
- (g) Plans and specifications of soil erosion and sedimentation control measures.
- (h) A site report by the Health Department for subdivisions that will not be served by public water and sewer. The information listed therein, not required elsewhere in these Subdivision Regulations, shall be submitted as part of the application for preliminary plat approval.
- (i) Ten copies of proposed deed restrictions or protective covenants; if none, a statement of such in writing.
- (j) Layout and width of rights-of-way and pavement of all streets or public ways proposed for the subdivision.

- (k) Lot layout, dimensions, setback requirements, area (in square feet or acres), and number of proposed lots.
- (l) All parcels or lands to be dedicated or reserved for public use or for use in common by property owners in the subdivision shall be indicated on the preliminary plat, along with any conditions of such dedication or reservation.
- (m) Location and size of all existing and proposed sanitary sewer, storm sewer, and water supply facilities and points of connection of proposed lines to existing lines, elevations and grades, direction of flow, profiles, location of valves and hydrants, location of electricity, telephone, and gas supply lines, and location, description, and details of any on-site facilities to serve the utility needs of the entire subdivision.
- (n) Preliminary engineering plans for all improvements required by Sections 1248.05 et seq. All plans shall be in conformance with applicable local, County and State standards.
- (o) Identification, location, and nature of all uses other than single-family residences to be included within the subdivision.
- (p) Staging of development of the entire subdivision.
- (q) Location, dimension, and purpose of all easements.
- (r) Location and type of sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, manholes, basins and underground conduits. The Planning Commission, however, shall have the authority to request that the information be present on more maps than those submitted, in the interests of clarity, speed, and efficiency in the review process.
- (s) A description of the location, nature and extent of natural features, such as large trees or groves of trees, water courses, vistas, historic spots and features, wildlife habitats and ecological areas, and similar irreplaceable assets.
- (t) Location of any areas of land within the proposed subdivision which lie either wholly or partially 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.
(Ord. 1980-2. Passed 5-12-80.)

1244.08 APPROVAL OR DISAPPROVAL OF PRELIMINARY PLAT BY PLANNING COMMISSION.

- (a) The Planning Commission shall review the preliminary plat for conformance to the approved preliminary plat. If the Planning Commission determines that substantial conformance exists, it shall transmit one copy of the plat to the School Board or the Superintendent in which jurisdiction the proposed subdivision will be located.

(b) After receiving comments and recommendations from the local school administration, the Planning Commission shall re-evaluate the preliminary plat in view of the new information and may request modifications in the plat. The Planning Commission shall then take action on the plat, such action being an approval, conditional approval, or disapproval. The Planning Commission shall transmit the plat, together with reasons for its action, to the governing body.

(c) The Planning Commission shall take action on the preliminary plat within sixty days of the date of filing of the plat, unless an extension is agreed to as set forth in Section 1244.05(b). If no action is taken by the Planning Commission within the sixty-day period, and if no extension is secured, the governing body shall assume that the preliminary plat has been approved by the Planning Commission.

(Ord. 1980-2. Passed 5-12-80.)

1244.09 TENTATIVE APPROVAL OR DISAPPROVAL OF PRELIMINARY PLAT BY COUNCIL.

(a) The governing body shall, within thirty days after receiving the Planning Commission's recommendation, tentatively approve or disapprove the preliminary plat.

(b) The governing body shall record its tentative approval on the plat, and return one copy to the proprietor. If disapproved, the governing body shall record its reason for disapproval and the conditions to be met to qualify for tentative approval, which reasons and conditions shall be sent to the proprietor.

(Ord. 1980-2. Passed 5-12-80.)

1244.10 SUBMISSION OF PRELIMINARY PLAT TO APPROVING AUTHORITIES.

After receiving tentative approval from the governing body, the proprietor shall submit the preliminary plat to all authorities as required in Sections 113 to 119 of the Subdivision Control Act (Act 228 of the Public Acts of 1967, as amended), including the County Road Commission, the County Drain Commissioner, the County Health Department, the Water Resources Commission, the County Plat Board, and public utilities serving the area.

(Ord. 1980-2. Passed 5-12-80.)

1244.11 DURATION OF PRELIMINARY PLAT APPROVAL.

Final approval of the preliminary plat shall confer upon the proprietor, for a period of two years from the date of approval, the conditional right that the general terms and conditions under which preliminary approval was granted will not be changed. The two-year period may be extended if applied for by the proprietor and granted by the governing body, in writing. Written notice of the extension shall be sent by the governing body to the other approving authorities. (Ord. 1980-2. Passed 5-12-80.)

1244.12 SUBMISSION OF PRELIMINARY PLAT TO COUNCIL FOR FINAL APPROVAL.

The preliminary plat for final approval, along with the required written application form and fees, shall be submitted to the Clerk at least fifteen days prior to the meeting of the governing body at which the plat is to be considered. The Clerk shall determine if the application is complete and thereafter follow procedures set forth in Sections 1244.02 et seq. (Ord. 1980-2. Passed 5-12-80.)

1244.13 INFORMATION REQUIRED FOR FINAL APPROVAL OF PRELIMINARY PLAT.

The proprietor shall submit the following information to the governing body for final approval of the preliminary plat:

- (a) A list of all authorities required by Sections 113 to 119 of the Subdivision Control Act (Act 288 of the Public Acts of 1967, as amended) to approve the plat, certifying that the list is complete and that each authority has approved the preliminary plat.
- (b) One approved copy of the preliminary plat from each authority as required by Act 288 of the Public Acts of 1967, as amended.
- (c) Copy of a receipt from the City of Litchfield Treasurer that all fees required under these Subdivision Regulations have been paid.
- (d) Final engineering drawings or construction plans of all improvements required under Sections 1248.05 et seq.
(Ord. 1980-2. Passed 5-12-80.)

1244.14 FINAL APPROVAL OR DISAPPROVAL OF PRELIMINARY PLAT BY COUNCIL.

(a) The governing body shall review the preliminary plat at its next regular meeting after submittal of the complete application, or within twenty days of the date of submission to the Clerk. The governing body shall give its final approval to the preliminary plat given tentative approval by the governing body, and if all other required approvals have been obtained by the proprietor. The governing body shall instruct the Clerk to so notify the proprietor in writing.

(b) The governing body shall disapprove the plat if it does not conform to the preliminary plat given tentative approval, or if it has not been approved by the various authorities as required by Act 288 of the Public Acts of 1967, as amended. The governing body shall instruct the Clerk to promptly notify the proprietor of the disapproval and the reasons therefor in writing. The reasons for disapproval shall be recorded in the minutes of the meeting. Notice shall be sent to each of the other approving authorities by the governing body.

(c) In case of disapproval, further consideration of a plan for subdividing the subject property can only be obtained if the proprietor applies for pre-preliminary plat review.

(d) In order to expeditiously reach a reasonable compromise when disapproval of the preliminary plat by the governing body is pending, the proprietor and the governing body may agree, in writing, to extend the twenty-day period. Any changes made in the plan during this extended period shall be sent to each authority that reviewed the preliminary plat under Sections 113 to 119 of Act 288 of the Public Acts of 1967, as amended. The approval of each such authority shall be obtained before the governing body may grant its final approval to the preliminary plat. This provision is intended to be used only in situations where, in the opinion of the governing body, the conditions standing in the way of final approval are minor.

(e) The governing body shall instruct the Clerk to note all proceedings in the record of the meeting at which action on the preliminary plat is taken, with the record to be open for inspection.

(f) No grading, removal of trees or other vegetation, landfilling, or construction of improvements shall commence on the subject property until the proprietor has:

- (1) Received a written notice from the Clerk that the governing body has given its final approval to the preliminary plat.
- (2) Entered into a subdivision agreement with the governing body for completion of all improvements required in the preliminary plat.
- (3) Deposited with the City of Litchfield a bond or other form of security as required by these Subdivision Regulations for the provision of improvements.
- (4) Received a certificate of approval or similar evidence of approval of the engineering plans from the City of Litchfield Engineer of each improvement to be installed prior to approval of the final plat. Where approval of such plans must be obtained from the County Road Commission, the County Drain Commissioner, the County Health Department, or other County or State agency, the proprietor shall provide evidence of such approvals to the City of Litchfield Engineer prior to his or her report and recommendation to the governing body. Such plans and approvals shall include those for soil erosion and sedimentation controls as provided in Sections 1244.02 et seq.

(g) The proprietor shall prepare a detailed estimate of costs of all required improvements not to be installed prior to final plat approval, as provided in Chapter 1248. The estimate of costs shall be checked and approved by the City of Litchfield Engineer prior to the governing body's final review of the preliminary plat.

(Ord. 1980-2. Passed 5-12-80.)

1244.15 SUBMISSION OF FINAL PLAT.

Final plats shall be submitted in the form required in Act 288 of the Public Acts of 1967, as amended, and shall be submitted to the Clerk at least fifteen days prior to the meeting of the governing body at which it is to be considered. The Clerk shall check the application for final plat approval for completeness in the manner set forth in Section 1244.03. A final plat shall not be accepted for review after the date of expiration of the preliminary plat final approval.

Final plats shall be submitted to the following agencies, in the indicated order, and the proprietor shall obtain signatures from the agency thereon, prior to filing the final plat with the governing body for approval.

County and City of Litchfield Treasurer
Drain Commissioner
County Road Commission.

(Ord. 1980-2. Passed 5-12-80.)

1244.16 INFORMATION REQUIRED ON OR WITH FINAL PLAT.

All final plats shall be in the form and contain the information required by the Subdivision Control Act (Act 288 of the Public Acts of 1967, as amended).

- (a) Five mylar copies, four paper prints of the final plat, and the filing and recording fee shall be filed by the proprietor with the Clerk.
- (b) An abstract of title or other certificate to establish ownership interests and to ascertain if all proper parties have signed the plat, for all land included in the subdivision, shall be filed with the Clerk.
- (c) The proprietor shall provide the City of Litchfield information which clearly indicates the location, nature, and extent of any changes in the subdivision as constructed, with respect to the final approved preliminary plat. In addition, he or she shall supply a complete record of all improvements that have been installed (other certificates) prior to the final plat application.

(Ord. 1980-2. Passed 5-12-80.)

1244.17 APPROVAL OR DISAPPROVAL OF FINAL PLAT BY COUNCIL.

(a) The final plat shall conform closely to the preliminary plat as finally approved. The final plat may constitute only a portion of the area covered by the preliminary plat.

(b) All improvements and facilities to be provided by the proprietor shall be installed, or adequate security in lieu thereof shall be provided, and all dedications and easements shall be evidenced as having been made before the governing body may approve the final plat. However, approval of the final plat shall not constitute acceptance of items for dedication. All such installations shall be inspected and approved by the City of Litchfield Engineer before the governing body may approve the final plat.

(c) The governing body shall review all recommendations and either approve or disapprove the final plat at its next regular meeting after the date of submission or at a meeting called within twenty days of the date of submission. The governing body shall approve the plat if it conforms to the final approval of the preliminary plat and to the provisions of the Subdivision Control Act (Act 288 of the Public Acts of 1967, as amended).

(d) If the final plat is approved, the Clerk shall transmit the five mylar copies and the filing and recording fee to the Clerk of the County Plat Board. The four paper prints shall be forwarded as follows: one to the Planning Commission; one to the Building Department; and two to be retained by the Clerk. All mylar copies and paper prints shall have the date of approval marked thereon.

(e) If the final plat is approved, the Clerk of the governing body shall sign a certificate signifying approval of the final plat by the governing body, which shall include the date of approval and the date on which the Clerk signs the certificate.

(f) If the final plat is disapproved, the governing body shall instruct the Clerk to record the reasons for rejection in the minutes of the meeting, notify the proprietor in writing of the action and the reasons therefor, and return the plat to the proprietor.
(Ord. 1980-2. Passed 5-12-80.)