

LOWELL CHARTER TOWNSHIP
2910 Alden Nash SE
Lowell, MI 49331
Phone: 616-897-7600 Fax: 616-897-6482
www.twp.lowell.mi.us

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| PRIVATE STREET REVIEW PROCESS |
|--------------------------------------|

For all private street requests a public hearing is held by the Planning Commission, which makes the final decision.

1. Application Form and Fee Schedule

An application form and fee schedule for private street review can be obtained from the Township offices. The application fee covers the cost of advertising the public hearing, mailing notices to property owners and/or occupants of properties within 300 feet of the applicant's property, and holding a public hearing. The escrow fee covers the cost of the services provided by professional consultants retained by the Township to assist in analyzing the request.

2. Meeting Dates

The Lowell Township Board of Trustees meets on the third Monday of each month at 7:00 P.M.

The Lowell Township Planning Commission meets on the second Monday at 7:00 P.M. and also at special meetings called by the Planning Commission.

Both the Board and Planning Commission meet in the public meeting room at the Lowell Township Hall, 2910 Alden Nash SE, Lowell, Michigan, 49331.

3. Processing Period

An application usually takes about 30 to 45 days to process.

4. Information to be Submitted by the Applicant

The applicant must submit a signed application form, application and escrow fees, and at least **8** copies of the private street plan to the Township Clerk. **The private street plan must be prepared in accordance with Section 4.5.3 and 4.5.4 of the Township Zoning Ordinance. All site plans must be sealed.**

A checklist of the information which must be submitted is attached.

5. Notice of Public Hearing on Preliminary Plan

All information submitted is distributed to the Planning Commission by the Clerk. Upon receipt of the required information the Planning Commission schedules a **public hearing** to consider the application.

Notice of this public hearing is then published in the Lowell Ledger and notices are also mailed to

occupants and property owners within 300 feet of the boundaries of the subject property. The notice must be published and mailed at least 15 days before the public hearing

The mailing list is taken from the most recent Township assessment roll. A notice is also sent to any utility, airport or railroad that registers its name with the Township for purposes of receiving such notice.

In cases where property within 300 feet of the property proposed for the private street is within another municipality, the Lowell Township Clerk will obtain a list of those property owners in the adjoining municipality which are within 300 feet of the subject property and mail them a notice

6. Project Review

The project is reviewed by the Township Planner and Engineer for compliance with Township Ordinances. Reports may be prepared and sent to the Planning Commission before the meeting. The applicant is also sent a copy of any such reports.

7. Planning Commission Holds Hearing on the Private Street Request

The public hearing is held by the Planning Commission. The applicant and others in attendance are provided an opportunity to speak at the hearing. Following the public hearing, the Planning Commission will vote to approve, deny, modify, or perhaps postpone the project so changes can be made the plan. If changes are required the Commission can choose to review the changes at a subsequent meeting or allow the Township Engineer or Zoning Administrator to review the changes.

8. Issuance of a Construction Permit

Once the private street plans are approved and all escrow fees are paid the Zoning Administrator issues a construction permit. The applicant may at this point construct the private road. The construction permit is valid for one year. If construction of the street is not started within that time the permit will expire. The applicant, however, may request a one year extension of the permit from the Planning Commission but the application for such extension must be submitted to the Planning Commission before the one year period expires.

9. Final Private Street Permit

Upon completion of the private street a final private street permit is issued by the Zoning Administrator if all requirements of Section 4.5.4(4) are met.

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**Checklist for Private Street Application
to Planning Commission**

The following information must be submitted for review of the private street by the Planning Commission.

-
- _____ Completed Application Form and Fee
 - _____ Eight copies of the private street site plan containing:
 - _____ Seal of a registered engineer or surveyor
 - _____ Site location map to scale showing surrounding lots, streets, and houses within one-half mile
 - _____ All lots served by the private street including lot dimensions and size
 - _____ Location of Private Street showing all design specifications. **The private Street must comply with the Lowell Township Standards for Private Streets and the construction standards of the Kent County Road Commission both of which are attached.**
 - _____ Profile of Private Street
 - _____ Cross section of Private Street
 - _____ All proposed utilities to be constructed within the right of way and/or within 20 feet of the right of way
 - _____ Method of storm water management
 - _____ Stop signs
 - _____ Driveways and streets within 150 feet of the proposed private street
 - _____ Name of Private Street
 - _____ Culverts, bridges or other similar structures. These must comply with applicable requirements of the Kent County Road Commission.
 - _____ Houses on adjacent parcels which are within 50 feet of the private street
 - _____ Proposed private street maintenance agreement
 - _____ Proposed private street access easement agreement

See Article 19 of the Lowell Township Zoning Ordinance for the complete requirements for Private Streets.

LOWELL CHARTER TOWNSHIP

Article 19 Minimum Standards for All Private Streets

- A. A private street shall be located within a private street easement. Such easement shall not be less than 66 feet in width or more than 86 feet in width at any point except that the radius for a cul-de-sac easement shall be a minimum of 60 feet and a maximum of 75 feet.

The private street may be located anywhere within the private street easement, allowing for the required shoulder, drainage ditch or drainage course.

- B. A lot shall have frontage on the private street easement which is at least equal to the minimum lot width required for the zoning district in which the lot is located except that the minimum frontage for a lot on a cul-de-sac shall be regulated by *Section 4.23 herein. (Attached)*
- C. The private street shall be given a street name that is not the same or similar to any other street name in the county. A street sign bearing the street name of the private street meeting Kent County Street Commission standards as to design, location, and maintenance shall be erected and maintained where such private street adjoins any public street.
- D. The area in which the private street is to be located shall be cleared and kept clear of vegetation for a minimum width of 28 feet. All overhead branches extending over the travel surface of the private street shall be trimmed and maintained to a height of 14 feet above the private street.
- E. A stop sign shall be installed at the intersection of the private street with the public street. The sign shall comply with the requirements of the Kent County Street Commission.
- F. All private streets shall widen at any dead end so there is at least a 40 foot radius driving surface turnaround. In the event of severe topography, mature trees or other similar natural feature which prevents the reasonable installation of the turnaround a different turnaround design may be approved by the Township Fire Chief. If an island is provided within the turnaround area, a larger radius may be required in order to accommodate fire fighting apparatus.
- G. A private street shall have a minimum street grade of 0.6 percent. All private streets shall not exceed a maximum grade of six percent. The Planning Commission, however, upon recommendation of the Township Engineer, may allow a maximum grade of up to eight percent for a private street if it is reasonably determined that such increased grade will not hinder the ability of firefighting equipment, ambulances and other emergency vehicles and personnel to reach all portions of the development.
- I. A private street shall be constructed in a manner to provide effective storm water drainage and to prevent run-off onto adjacent property. If a private street crosses a natural drainage course, stream or other natural body of water, the method of crossing (by bridge, culvert or other structure) must comply with applicable Kent County Road Commission requirements.
- J. A dwelling unit which derives its primary access from a private street shall display a house number in a manner so that the number is at all times readily visible from the private street. The house numbers shall be a minimum of three inches in height.

- K. The edge of the private street driving surface shall be no closer than 50 feet from any existing dwelling unit located on a parcel adjacent to the private street.
- L. A private street that intersects a public street shall be at least 150 feet from a public or private street which intersects the same street as measured between the centerlines of the streets or the private street shall directly align with any opposing public or private street.

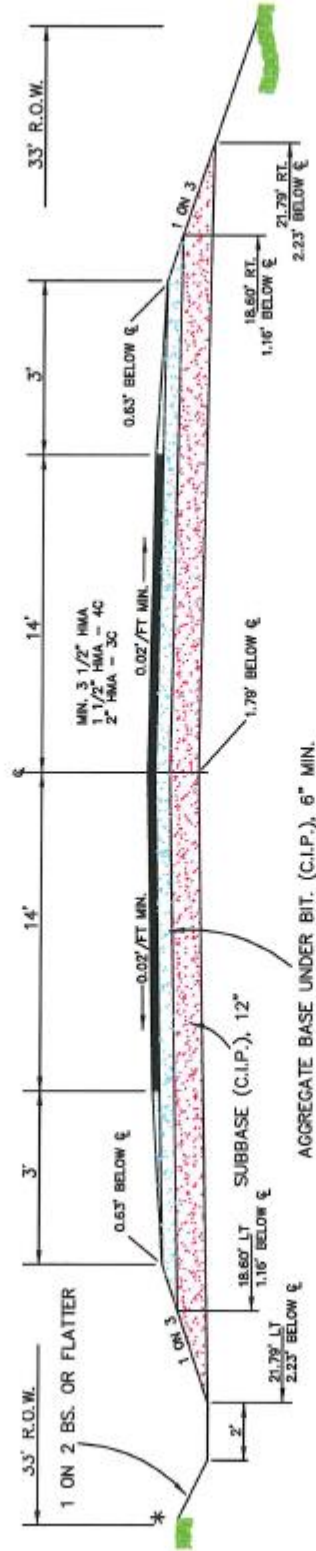
Section 19.05 Construction Standards for All Private Streets

- A. For private streets which provide access to less than four dwellings the following standards shall apply.
 - 1. The standards set forth in Section 19.05 herein.
 - 2. The private street, in all other respects, shall comply with the construction standards of the Kent County Road Commission Local Road Typical Section No. 2 as illustrated therein with the following exceptions:
 - i) The private street need not be paved.
 - ii) The gravel shall be a minimum of eight inches deep.
 - iii) The gravel surface shall be a minimum of 20 feet wide.
- B. For a private street or connected private street system which provides access to at least 4 but no more than 12 dwellings the following standards shall apply.
 - 1. The standards set forth in Section 19.05 herein.
 - 2. The private street, in all other respects, shall comply with the construction standards of the Kent County Road Commission Local Road Typical Section No. 1 as illustrated herein except that the width of the bituminous pavement shall be a minimum of 18 feet.
- C. For a private street or connected private street system which provides access to more than 12 dwellings the following standards shall apply.
 - 1. The standards set forth in Section 19.05 herein.
 - 2. The private street, in all other respects, shall comply with the construction standards of herein the Kent County Road Commission Local Road Typical Section No. 1 as illustrated except that the total width of the bituminous pavement shall be a minimum of 24 feet.

As an alternative to sub-section 2 above the following standard shall apply:

- 3. The private street, in all other respects, shall comply with the construction standards of the Kent County Road Commission Local Road Typical Section No.3 as illustrated herein except that the total width of the bituminous pavement shall be a minimum of 26 feet.

KENT COUNTY ROAD COMMISSION
 LOCAL ROAD TYPICAL SECTION #1



* DEVELOPER SHALL OBTAIN GRADING PERMITS AS REQUIRED BY KCRC.

FOR INDUSTRIAL OR COMMERCIAL PLATS, THE APPROPRIATE CURB AND GUTTER SECTION AS SHOWN OF SHEET #14 SHALL BE USED.

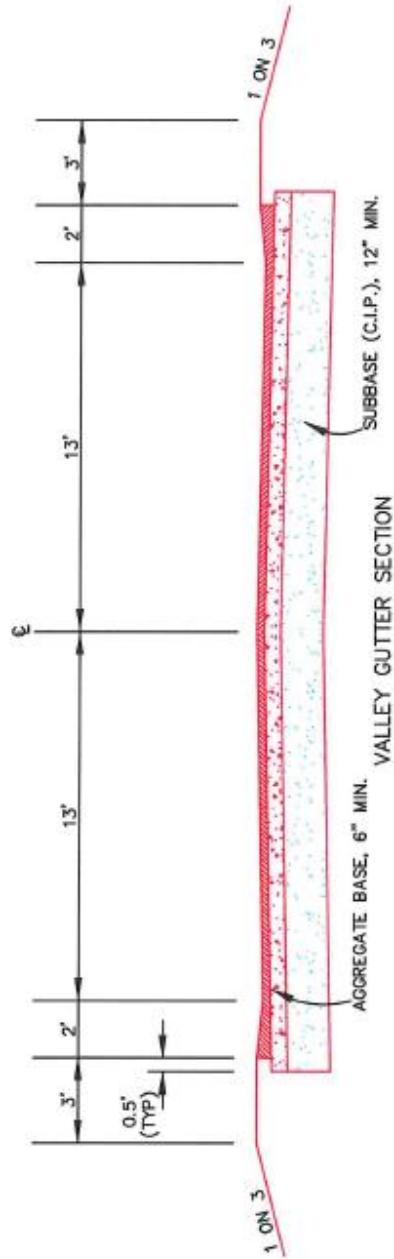
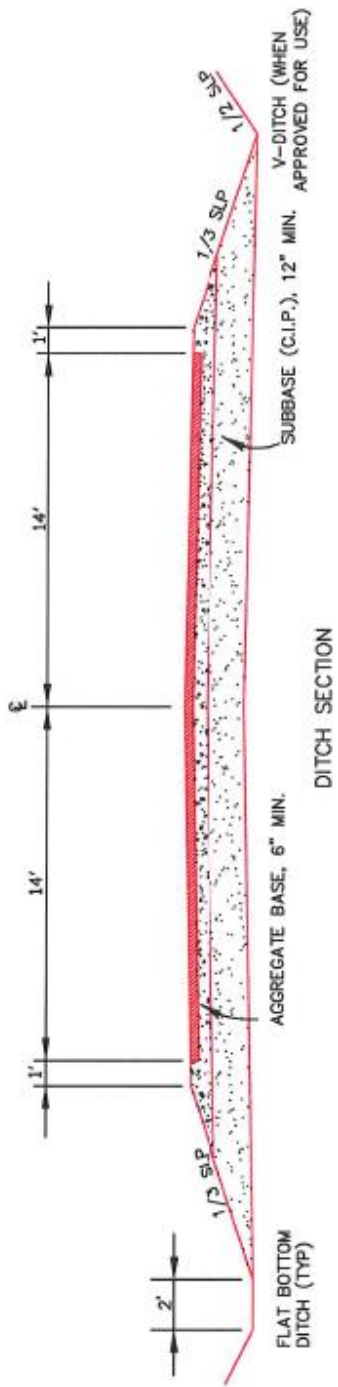
ESTIMATED QUANTITIES

| | |
|-------------------------|----------------------|
| SUBBASE (C.I.P.) | 149.59 CYD. PER STA. |
| AGG. BASE CSE. (C.I.P.) | 69.26 CYD. PER STA. |
| HMA MIX 1 1/2" 4C | 25.67 TON PER STA. |
| HMA MIX 2" 3C | 34.22 TON PER STA. |

ADD 20% FOR IRREGULARITIES

NOTE: ALL SLOPES 1 ON 2 OR GREATER AND DITCHES WITH A 1% GRADE OR MORE SHALL BE STABILIZED WITH MULCH BLANKETS OR WITH SEED, FERTILIZER AND MULCH.

KENT COUNTY ROAD COMMISSION
 LOCAL ROAD TYPICAL SECTIONS #2 & #3



LEGEND

| | |
|--|--------------------|
| | HMA SURFACE 3 1/2" |
| | GRAVEL (6") |
| | SSB (IF NECESSARY) |

BITUMINOUS SURFACING
 1 1/2" HMA 4C OVER
 2" HMA 3C

REV 3-5-04
 ACAD-LOC_TYP6
 5-27-03

Section 19.06 Private Street Maintenance Agreement

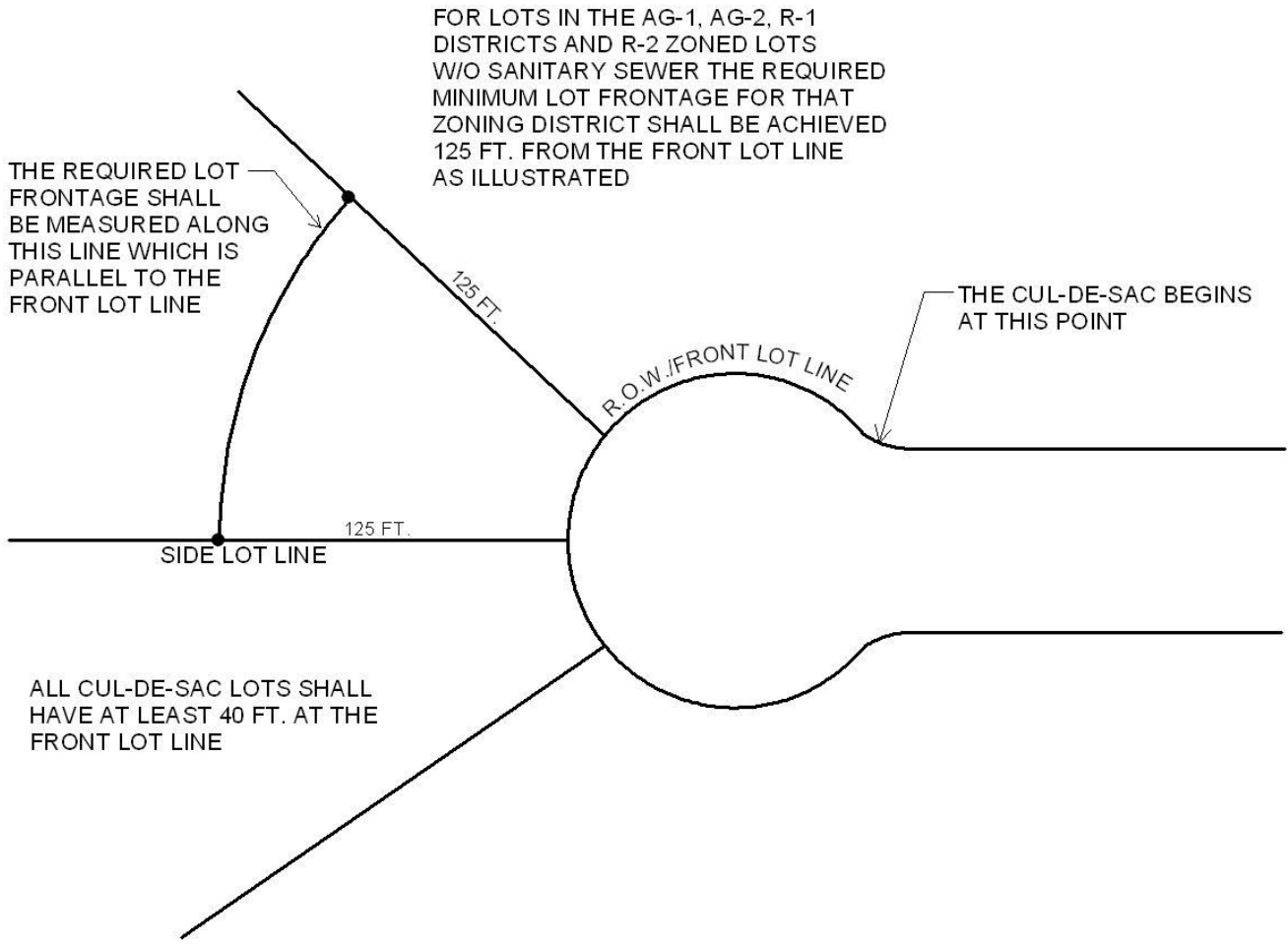
The applicant(s) and/or owner(s) of the proposed private street shall provide to the Township a recordable or recorded street maintenance agreement, access easement agreement, and/or deed restrictions which shall provide for the perpetual private (non-public) maintenance of such streets and/or easements to a necessary and reasonable standard to serve the parties having an interest in the private street. These documents shall include provisions for the following:

- (1) A method of financing the maintenance of the private street and/or easements in order to keep the street in a safe and usable condition.
- (2) A method of apportioning the costs of maintenance and improvements and an enforcement mechanism to ensure that such maintenance and improvements are carried out.
- (3) A notification that no public funds of the Charter Township of Lowell will be used to build, repair, or maintain the private street.
- (4) Easements to the public for purposes of emergency and other public vehicles for whatever public services are necessary and easements for public and private utilities.
- (5) Each of the owners of property utilizing the street shall refrain from prohibiting, restricting, limiting or in any manner interfering with normal ingress and egress and use by any of the other owners and ensuring that the property owners shall have a mechanism provided to enforce these rights. Normal ingress and egress and use shall include use by family, guests, invites, tradesmen, and others bound to or returning from any of the properties having a right to use the street.
- (6) If the private street entrance is secured by a locked gate or other similar mechanism the applicant shall arrange for emergency vehicle access with the Township Fire Chief.

Section 4.23 Cul-De-Sac Lot Regulations

- a. For lots in the AG-1, AG-2, and R-1 zones and for lots in the R-2 zone which are not served by public or community sanitary sewer which have frontage on a cul-de-sac, the required minimum lot frontage distance shall be achieved 125 feet from the front lot line as measured between the side lot lines along a line which is parallel to the front lot line **as illustrated in the following Figure 4-1.**
- b. In all other zoning districts for lots which have frontage on a cul-de-sac, the minimum required lot frontage shall be measured at the minimum required front setback distance for buildings and structures.
- c. All cul-de-sac lots shall have a minimum lot frontage of 40 feet at the front lot line.
- d. A lot shall be considered to be a cul-de-sac lot if the lot has more than one-half of the 40 feet allowable minimum frontage on the cul-de-sac. The beginning of the cul-de-sac shall be at the point on the right of way line where the radius begins.

FIGURE 4-1
(SECTION 4.2.10)



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Checklist for Final Private Street Permit

The following information must be submitted to the Township offices before a Final Private Street Permit is issued.

_____ Letter from registered engineer/surveyor certifying compliance with approved plans.

_____ Documentation that street maintenance, access easement and deed restrictions have been recorded with Kent County Register of Deeds.

_____ Permit from Kent County Road Commission

_____ Copy of approved private street plan in paper and electronic format.

Checklist Approved by: _____

Date: _____