



Access Management and Private Road Standards

SECTION 1701. STATEMENT OF PURPOSE AND INTENT

The intent of this Chapter is to establish standards for driveway spacing and the number of driveways for application during the site plan review process. The procedures standards of this Chapter are intended to promote safe and efficient travel within the township; minimize disruptive and potentially hazardous traffic conflicts; separate traffic conflict areas by reducing the number of driveways; provide efficient spacing standards between driveways, and between driveways and intersections; implement recommendations of the Master Plan; protect the substantial public investment in the road system; and to ensure reasonable access to properties, though not always the most direct access.

The standards of this Chapter apply to areas outside the right-of-way, which are under Township jurisdiction through site plan review. The driveway standards herein may be more restrictive than the standards of the Huron County Road Commission and Michigan Department of Transportation, which have jurisdiction within the right-of-way. Construction within the public right-of-way under the jurisdiction of Huron County must also meet the permit requirements of the County. Where conflicts arise the more stringent standard shall apply.

Lake Township generally discourages the establishment of private roads. However, standards for private roads are provided for instances where severe topography or important natural features, such as wetlands and woodlands, would be compromised by construction of roads to public standards. The owners accessing private roads assume full liability and maintenance responsibilities for private roads.

SECTION 1702. ACCESS TO DEDICATED STREETS

1702.1 LOT ACCESS.

Any lot created after the effective date of this Ordinance shall have frontage upon a public street right-of-way or legally recorded access easement meeting the standards of this Chapter.

1702.2 ADDITIONAL ACCESS REQUIREMENTS FOR SPECIFIC TYPES OF USES:

- A. Single family dedicated lots or condominium sites within a planned unit development may have secondary access to a dedicated road through a private road.
- B. The Planning Commission may allow secondary access to a dedicated road through a private frontage road, service drive or private road within an approved access easement.

SECTION 1703. STANDARDS FOR SHARED RESIDENTIAL DRIVEWAYS

Two (2) to four (4) single-family lots may have access from a private driveway when the following conditions are met:

- A. The driveway surface shall be a uniform minimum sixteen (16') feet wide, measured edge to edge. The width may be reduced to twelve (12') feet if the length of the shared driveway is less than three hundred (300') feet or if there are significant topographic, wetland, or other natural features on the site and sixteen (16') feet wide passing flares are provided at least every three hundred (300') feet.
- B. The driveway shall be constructed of materials suitable to accommodate emergency vehicles.
- C. There is a recorded shared access agreement minimum of thirty-three (33') feet wide. This easement may be included in the calculation for minimum lot area and width.
- D. If the driveway accesses a public right-of-way under the jurisdiction of Huron County, then all permit requirements of the County must be met, in addition to the above.

SECTION 1704. APPLICABILITY OF PUBLIC ROAD STANDARDS ON PRIVATE ROADS

All private roads in Lake Township, as defined above, shall be constructed to the standards of the Planning Commission and the Township Board determines that all of the following apply.

- A. There is no indication of a need for the roadway to be dedicated as a public road in the future.
- B. Dedication of the road as a public road would not result in continuity in the public road system at the present time or in the future.

LAKE TOWNSHIP ZONING ORDINANCE

- C. The expected traffic volumes along the roadway are not expected to exceed three hundred (300) vehicles per average weekday, based on accepted trip generation figures.
- D. Significant natural features such as mature trees, natural slopes, wetlands or other water bodies would be preserved through construction and maintenance as a private road.
- E. The property owners are providing financial and administrative mechanisms to ensure maintenance of the private road. A copy of a Private Road Maintenance Agreement shall be provided to the Township in a manner acceptable to the Township Attorney and approved by the Township Board.

SECTION 1705. PRIVATE ROAD STANDARDS

1705.1 PRIVATE ROAD STANDARDS.

The following shall be submitted to the Township either separately or in conjunction with a site plan according to Chapter 3.

- A. Parcel number and name of owner for all properties having legal interest in the private road.
- B. Plans designed by a registered engineer showing location, dimension and design of the private road. The plan shall identify existing and proposed elevation contours within all areas to be disturbed or altered by construction of the private road.
- C. Location of all public or private utilities located within the private road right-of-way or easement, or within twenty (20') feet including, but not limited to: water, sewer, telephone, gas, electricity, and television cable.
- D. Location of any lakes, streams, drainage ways, MDNR regulated wetlands, or trees with a caliper of eight (8") inches or greater, within one thousand two hundred (1,200') feet of the proposed private road right-of-way or easement.

SECTION 1706. DESIGN STANDARDS

Private roads which the Township has determined do not need to comply with all of the standards of the Huron County Road Commission as noted above shall be constructed to the following standards:

1706.1 ACCESS EASEMENT WIDTH.

The site plan shall provide an easement or easements sixty-six (66') feet in width. The Planning Commission may reduce the required width to not less than fifty (50') feet when all of the following criteria are met:

- A. The width is determined to be adequate for the necessary pavement and utilities;
- B. Adequate clear sight distance can be maintained;
- C. There is no desire or reasonable expectation that the road, as shown, could become a public road or potentially extended in the future;
- D. Is not expected to accommodate over three hundred (300) vehicle trips per average weekday based on accepted traffic generation figures;
- E. If, in addition to the above, the easement will only provide access to a maximum of four (4) single-family lots or dwelling units, the width may be reduced to forty (40') feet.

1706.2 ROAD DESIGN.

The design of private roads shall be approved by the Township Zoning Administrator. A private road serving no more than eight (8) lots or dwelling units in a single family residential district may be constructed of eight (8) inches of compacted MDOT 23AA gravel instead of asphalt or concrete.

- A. **Reduced Width for Private Roads:** The minimum pavement width may be reduced to not less than sixteen (16') feet wide where the Planning Commission and Township Board determine the reduced width will preserve significant natural features.
- B. **Cul-De-Sac Turnarounds:** Maximum length of a private road providing access to more than two (2) lots, buildings or dwelling units shall be one thousand (1,000') feet with a maximum twenty (20) lots or dwelling units served by a single means of access. Any single means of access serving more than five (5) lots or dwelling units shall include a turnaround with a forty-five (45') feet radius, fifty-five (55') feet radius if a center landscaped island is included, a hammerhead "T" turn or a continuous loop layout. These standards may be adjusted by the Planning Commission in particular cases, with input from the fire department and township staff or consultants, provided there is a finding that traffic impacts are adequately mitigated and a second means of emergency access can be required by the Planning Commission.

LAKE TOWNSHIP ZONING ORDINANCE

- C. **Grade:** Grades shall not exceed ten (10%) percent with a maximum grade of two (2%) percent for a minimum distance of thirty (30') feet from its intersection with a public right-of-way or another private road.
- D. **Compliance with AASHTO Standards:** Where no specific standard is provided in this Section, private road design plans shall meet the design criteria outlined in the most recent edition of the American Association of State Highway and Transportation Officials (AASHTO) Manual "A policy on Geometric Design for Highways and Streets," provided the minimum horizontal curve shall be two hundred thirty (230') feet in radius. The Planning Commission may reduce this radius to not less than one hundred fifty (150') feet if the design would accommodate expected vehicle speeds and truck/bus traffic, as determined by the Township Engineer and Planner, in cases where rolling terrain or a significant number of mature trees would be preserved or where the width of the parcel would not accommodate wider radii.
- E. **Intersection Design Standards:** Private roads which intersect with existing or proposed private roads or public street rights-of-way should intersect at a ninety (90°) degree angle. Where constrained by environmental features, the Township Zoning Administrator may allow a reduced angle of intersection but in no case shall the angle be less than seventy (70°) degrees.
- F. **Intersection Offsets from Public Streets:** Proposed private roads or entrances to a development shall align directly across from or be offset at least two hundred fifty (250') feet from public streets or private road intersections on the opposite side of the street, measured centerline to centerline. This standard may be reduced if approved by the Township Planning Commission.
- G. **Minimum Offsets Along Private Roads:** Private roads and driveways (excluding driveways serving one or two dwelling units) within a development shall align directly across from other private roads or driveways or be offset at least one hundred fifty (150') feet measured centerline to centerline.
- H. **Vertical Clearance:** In order to provide adequate access for emergency vehicles, fifteen (15') feet of overhead tree clearance shall be provided within the width of the gravel or pavement.
- I. **Street Names:** shall be required by the Planning Commission to assist public emergency services. A street sign shall be posted by the developer.

- J. **Yard Setback:** A private road easement shall not abut the property line of an adjacent site unless adequate provisions are made for drainage and screening.

SECTION 1707. EXISTING NONCONFORMING PRIVATE ROADS AND ACCESS EASEMENTS

1707.1 NONCONFORMING PRIVATE ROADS.

The Township recognizes there exist private roads, service roads and access easements which were lawful prior to the adoption of this Section that do not fully conform with the standards herein. Such roads are declared by this Section to be legal nonconforming roads or easements. The intent of this Section is to permit legal nonconforming roads and easements to continue and undergo routine maintenance for safety purposes. This Section is also intended to allow new construction to occur on existing lots which front along such a road on the effective date of this Section if the roads are reasonably capable of providing sufficient access for the uses permitted in the zoning district and for provision of emergency service vehicles as determined by the Zoning Administrator. It shall be the responsibility of the landowner to maintain this access.

However, this Section is also intended to discourage the extension of nonconforming roads or increase the number of lots or building sites served by such a road, except in platted subdivisions, divisions of land or site condominium projects existing on the adoption date of this Section, unless provisions are made to upgrade such road to comply with the standards herein. Any reconstruction, widening or extension of a nonconforming private road or access easement shall be in conformity with this Section.

1707.2 NONCONFORMING EXISTING LOTS.

For purposes of determining whether a lot along a private road or access easement qualifies as an “existing lot” as used in this Section, at least one of the following conditions must have existed at the time this Section was adopted.

- A. The lot consists of a “condominium unit” for which a master deed had been recorded with the Huron County Register of Deeds in accordance with the requirements of the Michigan Condominium Act and other applicable laws and ordinances.
- B. The lot consists of a parcel that was described by metes and bounds as recorded by a deed or as a land contract, and registered with the Huron county Register of Deeds.
- C. The lot had been assigned a unique parcel number by the Huron County Register of Deeds and was individually assessed and taxed on that basis.