# City of Ann Arbor

**PLANNING & DEVELOPMENT SERVICES — PLANNING DIVISION**

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## PETITION REQUIREMENTS FOR LAND DIVISIONS

The following City requirements relate to land divisions:

### 1. Land Development Regulations (Chapter 57) - Submission Requirements

1:7 Land Division Requirements. Applications for land division approval of both platted lots and unplatted parcels shall include the following information:

(1) A written request, signed by the property owner(s) of the property affected, describing the proposed change(s) to the lot or parcel and the reasons for the change(s).

(2) The history and specifications of any previous divisions of land of which the proposed division was a part which is determined by the planning director to be sufficient documentation to establish that the parcel was lawfully in existence as of March 31, 1997, the effective date of Public Act 591 of 1996.

(3) Complete and accurate legal descriptions of the existing lot(s) or parcel(s) and the proposed lot(s) or parcel(s).

(4) Six (6) copies of a survey drawing of the proposed division and drawn to a scale of one inch = 50 feet or larger. Plans must be referenced to the Ann Arbor Geodetic Reference System and final plans submitted in a City of Ann Arbor approved digital format, unless all proposed lots are currently serviced by existing City of Ann Arbor public sanitary sewer, water mains, storm sewers, and streets. The drawing shall include, at a minimum, the following information:

(a) Date, north arrow, scale, and name of the individual or firm responsible for the completion of the drawing.

(b) Existing and proposed lot or parcel lines and their dimensions.

(c) Existing buildings on the lot(s) or parcel(s) and setback dimensions from a building to a proposed lot line and any existing buildings, public or private streets, and driveways within fifty (50) feet of all proposed property lines, unless determined by the planning director to be unnecessary for determining compliance with city requirements.

(d) Location and nature of proposed ingress and egress locations to any existing public or private streets.

(e) The location of any public or private street, driveway, or utility easements to be located within any proposed lot or parcel. Copies of the instruments describing and granting such easements shall be submitted with the application.

(f) The zoning designation of all proposed lots or parcels, and a chart comparing existing conditions with the area, height, placement and parking requirements for each of the proposed lot(s).

(g) General location and description of any natural features located on the site and the general location and size of existing public utilities serving the site.

## 2. Chapter 57, Section 5:125 - Procedure and Standards for Approval

**5:125. Land Divisions.** The purpose of this section is to carry out the provisions of the State Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act).

(1) Necessity. Proposed land divisions of unplatted parcels within the City shall be approved according to the State Land Division Act, the requirements of this Section and the Land Development Regulations. The following shall be exempted from this requirement:

(a) A parcel proposed for subdivision through a recorded plat pursuant to Section 5:124 and the State Land Division Act.

(b) A division that results in parcels of 20 acres or more if each is not accessible and the parcel was in existence on March 31, 1997.

(c) An exempt split as defined by the State Land Division Act.

(2) Procedure.

(a) A land division petition, which includes plans and other required materials as specified in this chapter and land development regulations, shall be submitted to the planning and development services manager. The petition shall be considered complete and accepted for review, if it contains all required information to ascertain whether the standards found in this section have been met. If the planning and development services manager determines that the petition is incomplete, it shall be returned to the petitioner for completion and re-filing of the petition.

(b) The land division petition shall be reviewed by the assessor services unit, planning and development services unit, fire services unit, and public services units, and comments from each reviewing unit shall be forwarded to the planning and development services manager.

(c) Within 45 days of the complete filing of a land division petition, the planning and development services manager shall provide written notice to the petitioner as to whether the land division is approved, approved with reasonable conditions, or denied and, if denied, the reasons for denial.

(d) Notice of the land division petition shall be sent by first-class mail to property owners and residents within 300 feet of the boundary of the property upon which the division is proposed at least 14 days before the decision of the planning and development services manager. The notice shall indicate where and when the land division petition may be examined, that said owner or resident may submit comments in person or in writing to the planning commission, and that said owner or resident may file comments with the planning and development services manager prior to the end of the review period.

(e) The planning commission shall hear appeals of land division decisions of the planning and development services manager. The petitioner may appeal the decision of the planning and development services manager, within 30 days of said decision, to the planning commission. The appeal petition shall be submitted in writing to the planning and development services manager and shall include the reasons for the appeal. The fee to submit an appeal shall be established by resolution of the city council upon recommendation of the city administrator. A written notice shall be sent to the petitioner and to the property owners and residents within 300 feet of the boundary of the property not less than 10 days before the planning commission hearing indicating the time, date and location of the hearing. A notice of the hearing shall be published in a newspaper of general circulation at least seven days before the hearing. The planning commission shall hold its hearing at its first regular meeting for which these notice requirements may be met. The decision of the planning commission shall not create parcels that would not be permitted under the provisions of the zoning district in which the parcel is located nor parcels that would not be permitted under the State Land Division Act.

(f) The city assessor shall maintain official records of all approved land divisions.

(3) Standards for Land Division Approval. The planning and development services manager shall grant approval of a land division only after he or she determines that the land division meets all of the following standards:

(a) Each resulting parcel has an adequate and accurate legal description and is included in a tentative parcel map showing area, parcel lines, public utility easements, accessibility, and the other requirements of this section.

(b) Each resulting parcel has a width not less than the width permitted by Chapter 55.

(c) Each resulting parcel has a depth of not more than four times the width.

(d) Each resulting parcel has an area not less than the area required by Chapter 55.

(e) Each resulting parcel is accessible by meeting at least one of the following requirements:

1) Each resulting parcel is served by a driveway that provides vehicular access to an existing road or street and meets all city standards and those of the authority having jurisdiction over the road or street to which access is planned.

2) Each resulting parcel is served by an existing or proposed easement that provides vehicular access to an existing road or street and meets all city standards and those of the authority having jurisdiction over the road or street to which access is planned.

(f) Each resulting parcel has adequate easements for public utilities from the parcel to existing public utility facilities.

(4) Consequences of Noncompliance with Land Division Approval Requirement. A land division in violation of any provision of this ordinance shall not be recognized as a land division on the city tax assessment rolls and no building permit shall be issued for any resulting parcel.

(5) Further Division of Platted Lots. Any lot, outlot or other parcel of land in a recorded plat shall not be divided into more than 4 parts unless the division occurs pursuant to the provisions of the State Land Division Act. Any division of a platted lot or outlot into 4 parts or fewer shall be approved according to the procedures and standards described in this section and the land development regulations.

(6) Administrative Land Transfers. The city assessor and the planning and development services manager may approve property transfers between two or more adjacent parcels, if the transfer results in no new parcel being created upon which a principal building could be erected and if it does not cause a violation of this ordinance or Chapter 55. The petitioner shall provide to the planning and development services manager the required materials as specified for land divisions in this chapter and the land development regulations.

(7) Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.