

AN ORDINANCE TO AMEND SECTION 5.29.9.B OF CHAPTER 55 (UNIFIED
DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR
– Land Divisions

The City of Ann Arbor ordains:

Section 1. That Section 5.29.9.B of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

B. Land Divisions

The purpose of this section is to carry out the provisions of the State Land Division Act (1967 PA 288, as amended). A land division in violation of any provision of this Section 5.29.9 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.

1. Necessity

Proposed land divisions of unplatted parcels within the City shall be approved according to the State Land Division Act and the requirements of this Section 5.29.9B. The following shall be exempted from this requirement:

- a. A parcel proposed for subdivision through a recorded plat pursuant to Section 5.29.9A 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 application shall be submitted to the Planning Manager.
- b. The land division application shall be reviewed by PDSU, the Assessor Services Unit, Fire Services Unit, and PSA, and comments from each reviewing unit shall be forwarded to the Planning Manager.
- c. Within 45 days of the complete filing of a land division application, the PDSU Manager will provide written notice to the applicant 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 application 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 Manager. The notice shall indicate where and when the land division application may be examined, that the owner or resident receiving the notice~~

~~may submit comments in person or in writing to the Planning Commission, and that the owner or resident receiving the notice may file comments with the Planning Manager prior to the end of the review period.~~

~~e.d.~~ The City Assessor shall maintain official records of all approved land divisions.

3. Application

Applications for land division approval shall include the following information and shall be submitted to the PDSU:

- a. A written request, signed by the property owner(s) of the affected *lot(s)*, describing the request and identifying the addresses and tax identification numbers of the *lot(s)*, the history and specifications of any previous divisions of land to establish that the lot was lawfully in existence as of March 31, 1997. A copy of the deed shall be provided for any *lots* lawfully created after March 31, 1997.
- b. Complete and accurate legal description(s) of the existing *lot(s)*.
- c. Complete and accurate legal description(s) of the proposed *lot(s)*.
- d. A survey drawing of the proposed lots drawn to a scale of approximately one inch = 50 feet or larger. The drawing shall include, at minimum, the following information:
 - i. Date, north arrow, scale, and name of the individual or firm responsible for completing the drawing.
 - ii. Existing and proposed *lot lines* and their dimensions.
 - iii. Existing *structures* on the Lot(s) and *required setback lines*, setback dimensions of all *structures* to proposed property lines and any other *structure*, public or private Street, and driveways within 50 feet of all proposed property lines unless determined unnecessary by the Planning Manager to determine compliance with State and City requirements.
 - iv. Location and nature of proposed ingress and egress locations to any existing public or private streets.
 - v. Location of any public or private Street, driveway, or utility easements to be located within any proposed *lot*.
 - vi. Zoning designation of all proposed *lots*.
 - vii. General location and description of any *natural features* located on the site and the general location and size of existing *public utilities* serving the *lots*.
- e. Copies of the instruments describing and granting such easements for ingress and egress, driveways or utilities.

4. Criteria for Approval

The Planning Manager shall approve a land division only after determining that the land division meets all of the following criteria:

- 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 required by this chapter.
- 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 this chapter.
- e. Each resulting parcel is accessible by meeting at least one of the following requirements:
 - i. 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.
 - ii. 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.

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 four parts unless the division is in full compliance with the provisions of the State Land Division Act. Any division of a platted *lot* or outlot into four parts or fewer shall be approved according to the procedures and standards described in this Section 5.29.9B.

6. Administrative Land Transfers

The City Assessor and the Planning Manager may approve land 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 chapter. The *applicant* shall provide to the Planning Manager the required materials as specified for land divisions in this chapter.

Section 2. This ordinance shall take effect and be in force on and after ten days from legal publication.