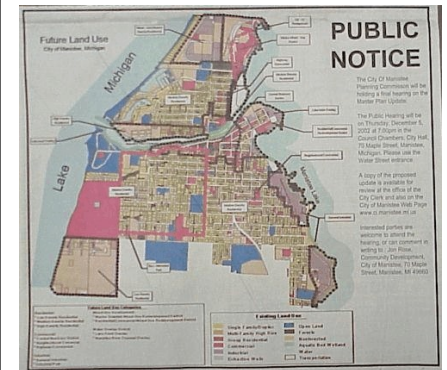
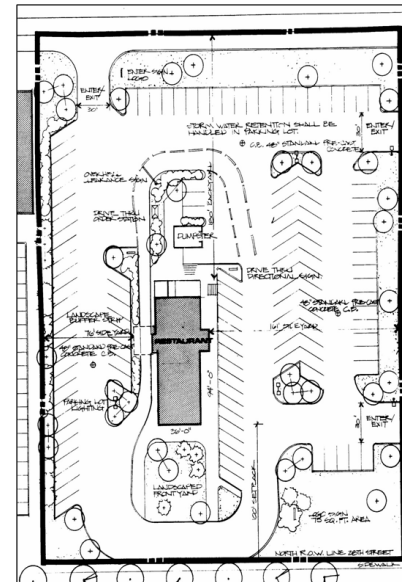


Subdivision and Land Splitting Reviews

July 15, 2010



MICHIGAN STATE
UNIVERSITY
EXTENSION

Land Use Team

back of title page

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Chapter 1: Introduction

The *Community Planning and Zoning Audit* is a comprehensive assessment of local government planning and zoning in Michigan. It covers basic topics and practices that members of every local planning and zoning entity should understand and should be doing. Each chapter of the *Community Planning and Zoning Audit* contains key points in the format of questions, checklists, and tables to assess your community's land use planning and zoning, including the adoption and amendment process, day-to-day administration and record keeping, and decision making about special land uses, planned unit developments, and site plan reviews.

Purpose of the Audit

The *Community Planning and Zoning Audit* is intended for use by local units of government in Michigan to help perform a self-evaluation of the basics of the community's planning and zoning system. The reason for doing an assessment is to learn of shortcomings and problems before they become controversial issues. As a result of going through this booklet, local officials will be alerted to things that need "fixing" and deficiencies in the community's files. The document helps accomplish three objectives:

1. Identify liability risks from not following proper procedures and practices, and not having adequate documentation of those procedures and practices.
2. Learn to better manage the planning and zoning administration in your community.
3. Take corrective steps to improve your planning and zoning system.

Organization and Content

This publication is one of a series of 11 Michigan State University Extension *Community Planning and Zoning Audits* available to walk a community through a performance audit. Topics are:

1. **Basic Setup** (MSU Extension bulletin number E-3051) makes sure that your planning commission and zoning board of appeals are set up properly and a system is in place to make sure the community keeps up-to-date.
2. **The Plan** (E-3052) reviews the process of plan and plan

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■ Kathy Egan, PLANNER, Suttons Bay Village and Township, Bingham Township.

- amendment adoption (to make sure that it was done properly) and reviews of an existing plan to determine if it needs to be updated, and reviews what should be in a plan.
3. **Planning Coordination** (E-3053) covers the process of coordination with neighboring government planning (review of each other's plans); coordination with state, federal, and other government agencies; coordination practices; and joint planning commissions.
 4. **The Zoning Ordinance** (E-3054) reviews the process of zoning ordinance and zoning amendment adoption (to make sure that it was done properly) and what needs to be in the file to document that the proper steps were taken. This publication also reviews what should be in a zoning ordinance.
 5. **Administrative Structure** (E-3055) provides a performance audit for the operation of the planning commission, zoning administrator, and zoning board of appeals. It covers office procedures, job descriptions, filing systems, bylaws, rules of procedure, compliance with the Open Meetings Act, minutes, and process for meetings and decision making.
 6. **Special Land Uses** (E-3056) provides a review of the administrative structure for handling special use permits: pre-applications, applications, public notification, record keeping, and use of standards in making decisions.
 7. **Planned Unit Development** (E-3057) provides a review of the administrative structure for handling planned unit development handled as a special use permit and as a zoning amendment: pre-applications, applications, public notification, record keeping, and use of standards in making special use decisions or basis in the plan for zoning amendment decisions.
 8. **Site Plan Review** (E-3058) provides a review of the administrative structure for handling site plan reviews: applications, public notification, record keeping, and use of

standards in making decisions.

9. **Capital Improvement Program** (E-3104) provides a review of the process of creating an annual capital improvement program (CIP).
10. **Subdivision and Land Splitting Reviews** (E-3105) provides a review of the administrative structure for handling land divisions, subdivisions or plats, site-condominiums, lot splits, and certified plats: preapplication meetings with the developer, public notification, plat review, record keeping, and use of standards in making decisions.
11. **Capital Improvements Review** (E-3106) provides a review of the process for the planning commission to review and comment on local government construction projects (which are otherwise not subject to zoning), and outlines how this review can be used as a constructive way to ensure that government-funded projects comply with the adopted plan and local ordinances.

Each of these *Community Planning and Zoning Audits* is available at <http://web2.msue.msu.edu/bulletins/subjectsearch.cfm> and www.msue.msu.edu/lu, and from your county Extension office.

How to Use the Audit

The *Community Planning and Zoning Audit* is not difficult to complete. However, it does take time and the ability to search for and find various records in your local government. The actions taken as a result of this exercise should help reduce liability risk and improve your community's planning and zoning program.

The *Community Planning and Zoning Audit* can be utilized by local units of government in a variety of ways. A community can go through this booklet as a group (e.g., the planning commission or a subcommittee), or a community can have an individual do so. The advantage of performing the assessment as a group is that reviewing the community's documents and files in detail is a great educational

experience for local officials. Alternatively, a staff person within the planning department may be able to perform the audit quicker because of having greater familiarity with how the unit or government maintains its records.

Additionally, a community can perform the *Community Planning and Zoning Audit* with certain chapters reviewed by various groups or individuals. For instance, the planning commission could review a few chapters of the audit while the zoning board of appeals addresses another set, and the legislative body performs the evaluations in the remaining chapters. Regardless of the approach taken, the main idea is to take the time to find out where various documents are and to make sure that proper documentation is on file. Then, where necessary, take action to correct any shortcomings.

Upon completion, if your community still has questions or wants help, please contact your county Extension office. They can contact the Michigan State University Land Use Team to provide further assistance and educational programming.

Organization and Content

This *Community Planning and Zoning Audit* contains the following chapters:

1. Introduction.
2. Subdivision and Land Split Reviews.
3. Smart Growth.

The audit is based on Michigan Public Act 110 of 2006, as amended (the Michigan Zoning Enabling Act, M.C.L. 125.3101 *et seq.*), Public Act 33 of 2008 (the Michigan Planning Enabling Act, M.C.L. 125.8101 *et seq.*), recommendations from members of the MSU Extension Land Use Team, and “best planning practices” derived from a proposed Coordinated Planning Act developed by the Michigan Association of Planning.

The *Community Planning and Zoning Audit* is not designed to be

a substitute for reading and understanding the Michigan Zoning Enabling Act or the Michigan Planning Enabling Act. Nor is this document a substitute for legal advice or for professional planner services. It is important to document each step of the process in planning and zoning a community. Keep detailed minutes, affidavits of publication and mailing, open meeting notices, letters of transmittal, and communications all on file so that years from now they are still available.

Defined Terms

“*Appeals board*” means the zoning board of appeals (ZBA).

“*Certified*” (resolution, minutes, ordinance, etc.) means that the keeper of the records for the local unit of government (secretary of the planning commission or clerk of the local unit of government for the planning commission or the clerk of the municipality for the legislative body) provides an affidavit that the copy provided is a true and accurate copy of the document.

“*Elected official*” means a member of a legislative body.

“*Legislative body*” refers to the county board of commissioners of a county, the board of trustees of a township, the council of a city or village, or any other similar duly elected representative body of a county, township, city, or village.

“*Local unit of government*” means a county, township, city, or village.

“*Municipality*” means a city, village, or township.

“*Plan*” means any plan or master plan adopted under the Michigan Planning Enabling Act or one of the three former planning acts, regardless of what it is titled.

“*Planning commission*” means a zoning board, zoning commission,¹

¹On or before July 1, 2011, the duties of the zoning commission or zoning board shall be transferred to a planning commission. Thus, the zoning commission or zoning board will no longer exist (M.C.L. 125.3301(2)).

planning commission, or planning board.²

²Starting on September 1, 2008, “planning boards” need to be named “planning commissions” even if a charter, ordinance, or resolution says otherwise (M.C.L. 125.3811(1)).

Chapter 2: Subdivision and Land Splitting Reviews

The purpose of this chapter is to help determine if best planning practices are being used and minimum legal requirements are being met to work with and adopt various ordinances dealing with the oversight of splitting land.

Splitting land can take many forms and can be done to a geographically small or large extent. All communities should have a system in place for review of land divisions (including bonus divisions and redivisions). All communities (except the most remote ones with little or no development pressure) should have a system in place for review of subdivisions and creation of a condominium of the surface of land (site-condominiums or site-condos).

Thus a city, village, and township should have adopted a land division ordinance, subdivision ordinance, site-condo ordinance, and lot-split ordinances. Often these are all combined into one ordinance that deals with the procedural process and design and review standards for each.

A township that is under a county zoning ordinance should also have a land division ordinance, subdivision ordinance, site-condo ordinance, and lot-split ordinances (as separate ordinances or all as one ordinance) that require compliance with the county zoning ordinance as part of the review standards. Another option would be for the township to contract with the county to make recommendations to the township concerning review. This would be done with an agreement pursuant to the Urban Cooperation Act (M.C.L. 124.501 *et seq.*).

Cities and villages may, in addition, have an ordinance that adopts a “certified plat” to indicate the locations and other details for future streets, parks, and public spaces in the undeveloped part of a town.

A county may have an ordinance that covers only the procedural

process for countywide coordinated plat review.³ The county ordinance would not include review standards – only the procedural process.

To conduct this review, you will need the following:

1. An individual(s) familiar with past practices and the history of land division, subdivision, site-condominiums, lot splits, certified plat activities as outlined above.
2. A copy of your plan.
3. A copy of the land division/subdivision/site-condominium ordinance(s).
4. Minutes and supporting files of planning commission meetings and legislative body meetings during the period in which the ordinance(s) were adopted.
5. A copy of the Michigan Planning Enabling Act.
6. A copy of the Land Division Act.
7. A copy of the Certification of City and Village Plats Act (if this is being done by a city or village).
8. A copy of the locally adopted certified plat map and supporting documents (if this is being done by a city or village).
9. A copy of the board of appeals minutes for cases concerning certified plats (if this is being done by a city or village).

³Section 105(b) of the Land Division Act (M.C.L. 560.105(b)) might be read to imply that a municipality or county can adopt an ordinance (procedure and review standards) to carry out the provisions of this act. There are counties that interpret the act to grant counties that authority. A greater number of counties use an interpretation that the county’s ordinance and rule-making authority is only for standards adopted by the drain commissioner, road commission, and so on. This publication uses the latter interpretation.

Subdivision Ordinance Adoption⁴

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
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If this audit is being done for a city, village, or township, then go to “For City, Village, and Township” on page 6.

For a county planning commission, then go to “For a County” on page 13.

For City, Village, and Township

1. Is there a plan that has been properly adopted, following each of the proper steps for adoption, that has specific provisions for subdivision and/or site-condominium regulations? (See *Plan*A*Syst Community Planning and Zoning Audit #2: The Plan.*)

Yes
 Good. Go to the next question.

No
 Having a plan, on which a subdivision ordinance is based, is a best planning practice. Consideration to correct this should be a priority.

Check this box:
 to indicate this is an improvement that needs to be done.
 Check this box:
 to indicate when improvement is done.

⁴This subdivision ordinance adoption audit is for adopting a general law ordinance. If the subdivision provisions are adopted as part of a zoning ordinance, then see *Planning and Zoning*A*Syst. #4: A Community Planning and Zoning Assessment System, Community Planning & Zoning Audit The Zoning Ordinance* (MSU Bulletin E-3054).

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>2. A. If the city, village, or township has its own zoning ordinance, is there a file copy of the municipal planning commission’s draft of a subdivision ordinance⁵ or rules governing the subdivision of land? OR</p> <p>B. If a township subject to county zoning pursuant to the Michigan Zoning Enabling Act, is there on file a draft subdivision ordinance or rules recommended by the county planning commission and adopted by the municipality governing the subdivision of land? (M.C.L. 125.3871(1)), M.C.L. 125.3101 <i>et seq.</i>, M.C.L. 124.501 <i>et seq.</i>, and M.C.L. 124.531 <i>et seq.</i>)</p> <p>OR</p> <p>C. If a city or village subject to county zoning pursuant to the Michigan Zoning Enabling Act and a contract under the Urban Cooperation Act of 1967, or 1967 (Ex Sess) P.A. 8, is there on file a draft subdivision ordinance or rules recommended by the county planning commission and adopted by the municipality governing the subdivision of land? (M.C.L. 125.3871(1)), M.C.L. 125.3101 <i>et seq.</i>, M.C.L. 124.501 <i>et seq.</i>, and M.C.L. 124.531 <i>et seq.</i>)</p> <p>AND</p> <p>D. Is there on file a draft subdivision ordinance prepared by the county planning commission governing the process of subdivision reviews? (M.C.L. 125.3209 and M.C.L. 125.3871(1))</p>	<p>Yes <input type="checkbox"/> (to the appropriate question(s) to the left: A and D, B and D, or C and D). Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Michigan Planning Enabling Act. Which planning commission starts the process is important. See your attorney for advice on how to correct this problem. (Question 2.D. is considered a best practice and would be optional.)</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

⁵“Subdivision ordinance” as used here means that ordinance adopted pursuant to the Michigan Land Division Act (P.A. 288 of 1967, as amended, M.C.L. 560.101 et seq.). Many communities also incorporate *land division* provisions in the subdivision ordinance. Many communities also incorporate *site-condominium* provisions in the subdivision ordinance (as part of an effort to document that subdivisions and site-condominiums are treated the same). The term “subdivision ordinance” is intended to mean any one of the possibilities explained in this footnote.

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>3. Is there written procedure and policy or is there a provision or provisions in the ordinance or rules for the administration and enforcement of the subdivision ordinance or rules that include the following?</p> <ol style="list-style-type: none"> 1. Sample applications for division or platting of land. 2. Published rules of county and state agencies for carrying out the subdivision review requirements of the Land Division Act. 3. Policy that specifies the required contents of a certified survey and map. 4. Policy that specifies tax lien or assessment requirements as conditions of approval. 5. Policy that requires submission of title insurance. 6. Guidelines for reviewing and recording new plats and the responsibilities of parties involved. 7. Location of records. 8. Permit fees, appeals fees, special meeting fees. 	<p style="text-align: center;">Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p style="text-align: center;">No <input type="checkbox"/></p> <p>This is recommended but not required. If desired, write and adopt procedure and policy for administration and enforcement.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>4. Has there been a critique or informal review by a third party, such as a county planning office (if it provides such service), MSU Extension Land Use Team member, or a professional planner; and (strongly recommended) review by an attorney?</p>	<p style="text-align: center;">Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p style="text-align: center;">No <input type="checkbox"/></p> <p>This is recommended but not required. If desired, have such a review conducted.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>5. Is there a file copy of the minutes of the planning commission's public hearing on the proposed subdivision ordinance or rules? (M.C.L. 125.3871(3))</p>	<p style="text-align: center;">Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p style="text-align: center;">No <input type="checkbox"/></p> <p>The hearing and record are required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>6. Is there a file copy of the notice of the public hearing that includes the time and place of the public hearing? (M.C.L. 125.3871(3))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The notice and hearing are required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>7. Does the file document that the notice was given not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government? (M.C.L 125.3871(3)) (Note: "General circulation" means a newspaper that has a paid subscription and does not mean a free-distribution advertiser or similar type publication.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>8. Does the file contain a copy of the planning commission's response to the comments received at the public hearing that: Changes the proposed ordinance or rules as a result of the comments made at the hearing? OR Prepares a preponderance of reasons why the proposed ordinance or rules should not be changed as a result of the comments made at the hearing?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> These records are recommended to be kept if it is desired to have a review of public comments conducted.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>9. Is a copy of the planning commission’s adopted resolution recommending that the legislative body adopt the subdivision ordinance or rules, or not adopt the subdivision ordinance or rules, on file or in the minutes? (M.C.L. 125.3871(1)).</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> Adopting the resolution and having a copy on file is required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government’s attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>10. Is there a file copy of a letter of transmittal from the planning commission to the legislative body for the proposed subdivision ordinance or rules? (M.C.L. 125.3871(1)).</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is recommended but not required. If desired, start this practice.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>11. Do the minutes reflect that the legislative body reviewed the proposed subdivision ordinance or rules, and if the legislative body considered changes, additions or amendments to the proposed subdivision ordinance or rules, do the minutes indicate what the changes, etc., were?</p>	<p>Yes or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by law if it happened (Open Meetings Act). See your government’s attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>12. Do the minutes reflect if the legislative body may have referred the proposed ordinance back to the planning commission for consideration and comment within the legislative body’s specified period of time?</p>	<p>Yes or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by law if it happened (Open Meetings Act). See your government’s attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>13. Does the file or minutes document following any other policy, charter provisions, or requirements of statute that require additional steps to be taken before an ordinance can be adopted as having been done? (Any step or steps should be inserted here.)</p>	<p>Yes or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> If following other policy, charter provisions, or other statutes is required by law, it should be done. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>14. Do the minutes reflect that the legislative body voted on the adoption of the proposed ordinance or rules, with or without amendments? (The vote to adopt is done with a majority vote of the members of the legislative body. The effective date of the subdivision ordinance or rules governing the subdivision of land should be in the motion of adoption.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Open Meetings Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>15. Is a copy of the ordinance or rules, amendments, and supplements on file with the local unit of government's clerk and, if it is a township ordinance or rules, is a copy also filed with the county clerk? If required, has a notice of adoption or the ordinance been published?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by law (see the respective statute listing duties of the municipal clerk). Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>16. Once the ordinance has taken effect, do the minutes of the legislative body reflect adoption of procedure and policy (or that a provision or provisions exist in the ordinance or rules) for the administration and enforcement of the subdivision ordinance or rules? (See question #3, above.) OR Are the bylaws of the planning commission amended so they cover details on the process for reviewing, holding hearings on, conducting site plan review of, and other matters concerning the administration of the adopted subdivision ordinance or rules?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is recommended but not required. If desired, write and adopt procedure and policy for administration and enforcement.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>17. Does the planning commission periodically prepare a report on the operations of the subdivision ordinance or rules, recommendations for amendments, and other matters concerning subdivisions for the legislative body? (§308(2), M.C.L. 125.3308(2)).</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Michigan Planning Enabling Act. Start the practice of doing so from this point forward.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>18. Do you have on file an updated or annotated copy of the entire subdivision ordinance that shows the amendment changes, etc., within its text?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question</p>	<p>No <input type="checkbox"/> This is a recommended best practice but not required. If desired, start the practice of doing so from this point forward.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
For a County⁶			
<p>1. Is there a plan that has been properly adopted, following each of the proper steps for adoption, that has specific provisions on subdivision and/or site-condominium regulations? (See <i>Plan*A*Syst Community Planning and Zoning Audit #2: The Plan.</i>)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> A subdivision ordinance based on a plan is a best planning practice. Consideration to correct this should be a priority.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>2. If there is not county zoning, or if there is county zoning but there are areas of the county not subject to county zoning, is there on file a draft subdivision ordinance or rules covering a streamlined review process, such as review by a county coordinating committee of proposed subdivisions and site-condominiums (M.C.L. 125.3209 and M.C.L. 125.3871(1))?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> A county ordinance creating streamlined review is a best planning practice.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>3. Does the content of the county subdivision ordinance contain only the procedural process for coordinated review of subdivisions and site-condominiums, and not any subdivision design standards?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> A county in which county zoning does not have jurisdiction may not have subdivision design regulation authority. See your attorney for advice on how to correct this problem or if it needs to be corrected.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

⁶This subdivision ordinance adoption audit is for adopting a general law ordinance. If the subdivision provisions are adopted as part of a zoning ordinance, then see *Planning and Zoning*A*Syst. #4: A Community Planning and Zoning Assessment System: Community Planning & Zoning Audit The Zoning Ordinance* (MSU Bulletin E-3054).

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>4. Is there written procedure and policy (or a provision or provisions in the ordinance or rules) for the administration of the subdivision review process? The following should be included:</p> <ol style="list-style-type: none"> 1. Sample applications for division or platting of land. 2. Policy that specifies the required contents of a certified survey and map. 3. Guidelines for reviewing and recording new plats and the responsibilities of parties involved. 4. Location of records. 5. Permit fees, appeals fees, special meeting fees. 	<p style="text-align: center;">Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p style="text-align: center;">No <input type="checkbox"/></p> <p>This is recommended but not required. If desired, write and adopt procedure and policy for administration and enforcement.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>5. Has there been a critique or informal review by a third party such as an MSU Extension Land Use Team member or a professional planner; and (strongly recommended) review by an attorney?</p>	<p style="text-align: center;">Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p style="text-align: center;">No <input type="checkbox"/></p> <p>This is recommended but not required. If desired, have such a review conducted.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>6. Is there a file copy of the minutes of the county planning commission's public hearing on the proposed subdivision review procedure ordinance?</p>	<p style="text-align: center;">Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p style="text-align: center;">No <input type="checkbox"/></p> <p>The hearing and having a copy of the minutes are required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>7. Is there a file copy of the notice of the public hearing that includes the time and place of the public hearing?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The hearing and having a copy of the notice are required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>8. Does the file document that notice was given not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government? (M.C.L 125.3871(3)) (Note: "General circulation" means a newspaper that has a paid subscription, not a free-distribution advertiser or similar type publication.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> Having given proper notice and documenting that was done are required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>9. Does the file contain a copy of the county planning commission's response to the comments received at the public hearing that: Changes the proposed ordinance as a result of the comments made at the hearing? OR Prepares a preponderance of reasons why the proposed ordinance should not be changed as a result of the comments made at the hearing?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is recommended but not required.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>10. Is a copy of the county planning commission’s adopted resolution or motion recommending that the county board of commissioners adopt the subdivision review procedure ordinance or not adopt the subdivision review procedure ordinance on file or in the minutes? (M.C.L 125.3871(1)).</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The adoption and minutes or resolution documenting that are required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government’s attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>11. Is there a file copy of a letter of transmittal from the county planning commission to the county board for the proposed subdivision review procedure ordinance?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is recommended but not required. If desired, start this practice.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>12. Do the minutes reflect that the county board reviewed the proposed subdivision review procedure ordinance? And, if the county board considered changes, additions, or amendments to the proposed subdivision review procedure ordinance, are the changes, etc., reflected in the minutes?</p>	<p>Yes or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by law if it happened (Open Meetings Act). See your government’s attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>13. Do the minutes reflect if the county board may have referred the proposed ordinance back to the county planning commission for consideration and comment within the legislative body’s specified period of time?</p>	<p>Yes or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by law if it happened (Open Meetings Act). See your government’s attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>14. Does the file or minutes document that any other policy, charter provisions, or statutes that require additional steps be taken before an ordinance can be adopted were followed? (Any step or steps should be inserted here.)</p>	<p>Yes or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> If these steps are required by law, they should be done. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>15. Do the minutes reflect that the county board voted on the adoption of the proposed subdivision review procedure ordinance, with or without amendments? (The vote to adopt is done with a majority vote of the members of the legislative body. The effective date of the subdivision ordinance or rules governing the subdivision of land should be in the motion of adoption.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by law. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>16. Is a copy of the subdivision review procedure ordinance, amendments and supplements on file with the county clerk?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by law (see the respective statute listing duties of the county clerk). Adopt the ordinance/rules over again including filing the adopted ordinance with the clerk, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>17. Once the subdivision review procedure ordinance has taken effect, do the minutes of the county board reflect adoption of procedure and policy (if not a part of the ordinance) for the administration and enforcement of the subdivision review procedure ordinance? (See question 4, above.) OR Are the bylaws of the county planning commission amended so they cover details on the process for reviewing, holding hearings on, conducting site plan review of, and other matters concerning the administration of the adopted subdivision review procedure ordinance?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is recommended but not required. If desired, write and adopt procedure and policy for administration and enforcement. If done, documentation in the minutes that it was done is necessary.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>18. Does the planning commission periodically prepare a report on the operations of the subdivision review procedure ordinance, recommendations for amendments, and other matters concerning subdivisions for the legislative body? (§308(2), M.C.L. 125.3308(2)).</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Michigan Planning Enabling Act. Start the practice of doing so from this point forward.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>19. Do you have on file an updated or annotated copy of the entire subdivision review procedure ordinance that shows the amendment changes, etc., within its text?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question</p>	<p>No <input type="checkbox"/> This is a recommended best practice but not required. If desired, start the practice of doing so from this point forward.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Content of a Subdivision Ordinance

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>1. Has consideration been given to adopting one comprehensive set of standards (with one or multiple ordinances making reference to the standards) for review of subdivisions, land divisions (including bonus divisions, redivisions), and condominiumization of land (“site-condos”)?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question</p>	<p>No <input type="checkbox"/> This is a recommended best practice but not required. If desired, start the practice of doing so from this point forward. Consult your municipal attorney before proceeding with this.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>2. Using the table below, “Subdivision Ordinance Content,” determine if your local unit of government’s ordinance includes the appropriate provisions.</p>	<p>Yes <input type="checkbox"/> It includes the appropriate provisions. Good. Go to the next question</p>	<p>No <input type="checkbox"/> Depending on the content, this is a recommended best practice or a requirement. As appropriate, amend the ordinance/rules to add the missing elements.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Subdivision Ordinance Content

Using the table below, review your subdivision/site-condominium ordinance and write in each column where in the ordinance the material is found.

On the basis of which rows in the table below have page numbers in them and which ones are left blank, you can construct a list of what has been done and what has not been done. A general strategy each time a community updates its subdivision ordinance is to try to assess what items are needed in the ordinance and which are not applicable

for your community. Over time, the ordinance will become more substantial as the community grows and need for more exists. Note that there is a point at which a community does not need a more substantial subdivision ordinance (such as a small, rural, or not complex community). This is a judgment call that should be reassessed each time the community updates or replaces its subdivision ordinance.

Parts of a typical subdivision/site-condominium/land division ordinance. (The article numbers shown here are examples; your ordinance may use a different numbering system or may have items in a different order. Article numbers not used here are skipped to leave room to insert future articles. See material on ordinance codification at www.msue.msu.edu/lu .)	The page or section where it is found in our ordinance	Need to add to our ordinance	For a city, village, or township	For a county
<p>ARTICLES 1-9 for introductory material for this ordinance</p> <p>ARTICLE 1 for basic legal clauses such as title, citation, purposes, legal basis, effective date, explanation of scope, and codification</p> <p>ARTICLE 5 for definitions of words and uses used in this ordinance</p> <p>ARTICLES 10-19 for enforcement and penalties</p> <p>ARTICLES 20-29 for land division review process</p> <p>ARTICLE 20 for land division review process</p> <p>ARTICLE 21 for land division review standards (parcel size, width:depth, access, width, number of divisions)</p> <p>ARTICLE 22 for property transfer criteria to qualify (purpose [trespass or setback adjustment, nonconforming correction]; limit on proportionate size of transfer, etc.)</p> <p>ARTICLES 30-39 for subdivision and site-condominiums</p> <p>ARTICLE 30 for subdivision review process and procedure (including coordinated review)</p> <p>Section 3001 for preapplication meeting and sketch review</p> <p>Section 3010 for preliminary plats/draft master deeds</p> <p>Section 3011 for content of preliminary plat/master deeds applications (plan preparation, plan standards)</p> <p>Section 3020 for preliminary plat review process (coordinated review)</p>			<p>Not applicable for our community</p> <p>Needs to be in all subdivision ordinances</p> <p>Needs to be in all subdivision ordinances</p>	<p>Needs to be in all subdivision ordinances</p> <p>Not applicable</p> <p>Not applicable</p>

Parts of a typical subdivision/site-condominium/land division ordinance. (The article numbers shown here are examples; your ordinance may use a different numbering system or may have items in a different order. Article numbers not used here are skipped to leave room to insert future articles. See material on ordinance codification at www.msue.msu.edu/lu .)	The page or section where it is found in our ordinance	Need to add to our ordinance	For a city, village, or township	For a county
<p>Section 3022 for final approval of preliminary plats/master deed (planning commission and legislative body action)</p> <p>Section 3030 for performance security requirements</p> <p>Section 3040 for construction inspections</p> <p>Section 3050 for approval of final plats/final master deed</p> <p>ARTICLE 40-40 for splitting lots in existing subdivisions</p> <p>ARTICLE 40 for review of splitting lots in existing subdivisions</p> <p>ARTICLE 41 for splitting lots in existing subdivisions standards</p> <p>ARTICLES 50-59</p> <p>ARTICLE 50 for fees (plan review, construction inspection[s], final approval)</p> <p>ARTICLE 51 for enforcement and penalties</p> <p>ARTICLES 60-89 for design standards</p> <p>ARTICLES 60-69 for land division standards (parcel size, width:depth, access, width, number of divisions)</p> <p>ARTICLES 70-79 for standards for splitting lots in an existing subdivision</p> <p>ARTICLES 80-89 for subdivision and site-condominium standards</p> <p>Section 8001-8099 for streets, right-of-way, and alley design standards</p> <p>Section 8100-8199 for sidewalk, crosswalk, and pedestrian standards</p> <p>Section 8200-8299 for interconnectivity standards (between current and adjacent future developments)</p>			Not applicable for our community	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>

Parts of a typical subdivision/site-condominium/land division ordinance. (The article numbers shown here are examples; your ordinance may use a different numbering system or may have items in a different order. Article numbers not used here are skipped to leave room to insert future articles. See material on ordinance codification at www.msue.msu.edu/lu .)	The page or section where it is found in our ordinance	Need to add to our ordinance	For a city, village, or township	For a county
<p>Section 8300-8399 for block and intersection standards</p> <p>Section 8400-8499 for lot (or condominium unit) standards</p> <p>Section 8500-8599 for environmental standards (conservation design; and floodplains, natural features, sensitive environments, critical areas)</p> <p>Section 8600-8699 for infrastructure standards (water, sewer, storm drainage, street signs, easements) and public sites (reservations, dedications, parks, etc.)</p> <p>Section 8700-8799 for tree, vegetation, landscaping standards</p> <p>Section 8800-8899 for survey monumentation standards</p> <p>Section 8900-8999 for conformance with an adopted certified plat map and supporting documents</p>			Not applicable for township	Not applicable for our community
<p>ARTICLE 90 for street naming and addressing</p>				
<p>ARTICLES 96-99 for ordinance administration</p>				
<p>ARTICLE 96 for exceptions (variances)</p>				
<p>ARTICLE 98 for ordinance amendment, validity, enforcement, and penalties</p>			Needs to be in all subdivision ordinances	Needs to be in all subdivision ordinances

Adoption of a Certified Plat⁷ (Cities and Villages Only)

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>1. Is this performance audit being done for a city or a village? (M.C.L. 125.51 <i>et seq.</i>)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Certification of City and Village Plats Act is applicable only to cities and villages. Skip this section and go to the next section, on page 28.</p>	
<p>2. Has a village or city plan (or one or more major sections of the master plan) been adopted? (M.C.L. 125.51)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> Having an adopted plan is a prerequisite to adopting a certified plat. Adopt a plan before adopting a certified plat.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>3. Were the creation and preparation of the proposed certified plat (or amendment to an existing certified plat) done by the planning commission and reflected in the minutes of the planning commission? (M.C.L. 125.51, 125.52, and 125.53)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Certification of City and Village Plats Act requires this. Adopt the certified plat again to correct this.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>4. Is there a record of the planning commission's proposed certified plat (or amendment to an existing certified plat) being transmitted to the city or village council? (M.C.L. 125.51, 125.52, and 125.53)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Certification of City and Village Plats Act requires this. Adopt the certified plat again to correct this.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

⁷“Certified plat” means those detailed and precise maps showing location of proposed future new, extended or widened streets, avenues, places or other public ways, parks, playgrounds, and public grounds adopted pursuant to the Certification of City and Village Plats (P.A. 222 of 1943, M.C.L. 125.51 *et seq.*).

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>5. Is there a copy of the notice for a public hearing by the village or city council on the proposed certified plat (or amendment to an existing certified plat) and other record that shows each of the following?</p> <p>a. The time and place of the hearing.</p> <p>b. When and where it shall be considered for final adoption.</p> <p>c. That notices were sent by mail to record owners of land located within or abutting the new lines of the proposed public places shown on the proposed certified plat.</p> <p>(M.C.L. 125.52 and 125.53)</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>The Certification of City and Village Plats Act requires this. Adopt the certified plat again to correct this.</p>	<p>Check this box: <input type="checkbox"/></p> <p>to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/></p> <p>to indicate when improvement is done.</p>
<p>6. If the village or city council made any changes from the proposed certified plat (or amendment to an existing certified plat) as prepared by the planning commission, do the minutes and other records show that those changes were referred back to the planning commission for its approval?</p> <p>(M.C.L. 125.52 and 125.53)</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>The Certification of City and Village Plats Act requires this. Adopt the certified plat again to correct this.</p>	<p>Check this box: <input type="checkbox"/></p> <p>to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/></p> <p>to indicate when improvement is done.</p>
<p>7. If any changes were proposed by the village or city council and the planning commission subsequently disapproved, do the minutes and other records show one of the following?</p> <p>a. The change was not made to the certified plat.</p> <p>b. The village or city council minutes show a roll call vote where two-thirds of all the council members voted for the change.</p> <p>c. Thirty days passed without the planning commission acting on the change (thus the change is deemed to have been approved).</p> <p>(M.C.L. 125.52 and 125.53)</p>	<p>Yes or N/A <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>The Certification of City and Village Plats Act requires this. Adopt the certified plat again to correct this.</p>	<p>Check this box: <input type="checkbox"/></p> <p>to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/></p> <p>to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>8. Does the proposed certified plat (including amendments) conform with the adopted plan? (M.C.L. 125.53)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Certification of City and Village Plats Act requires this. Adopt the certified plat again so it conforms with the plan or amend the plan to correct this.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>9. Is the adoption of a certified plat (or amendment to an existing certified plat) done by adoption of an ordinance? (M.C.L. 125.52 and 125.53)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Certification of City and Village Plats Act requires this. Adopt the certified plat again to correct this.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>10. Does the record show that the process to adopt the ordinance followed the procedures for ordinance adoption in state statute and the city or village charter for adopting municipal ordinances? (M.C.L. 125.53 and 125.53)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Certification of City and Village Plats Act requires this. Adopt the certified plat again to correct this.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>11. Does the certified plat (including amendments) include a detailed and precise map(s) and supporting document(s) showing one or more exact location of items, time period, and use of public areas listed here?</p> <p>a. Proposed future outside lines of new, extended or widened streets, avenues, places or other public ways.</p> <p>b. Proposed future outside lines of new or extensions of parks and playgrounds.</p> <p>c. Proposed future outside lines of new or extensions of other public grounds.</p> <p>d. An estimate of the time period within which the land acquisition(s) for public use shown on the map should be accomplished.</p> <p>e. The map(s) may use appropriate symbols to indicate the purpose of the public areas shown with outside lines.</p> <p>(M.C.L. 125.51 and 125.55)</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>The Certification of City and Village Plats Act requires this precision and showing of outside lines and time table. Redo and readopt the certified plat to correct this deficiency.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>12. Does the ordinance and/or certified plat map or amendment to either indicate that the making or certifying of a certified plat map and supporting documents does not in and of itself constitute or be deemed to constitute the opening and establishment of any street or the taking or acceptance of any land for the purposes outlined in the certified plat?</p> <p>M.C.L. 125.51, 125.52, and 125.55)</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>The Certification of City and Village Plats Act requires this. Adopt the ordinance/rules over again with these clauses included. Or consult with your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>13. Has the village or city adopted an ordinance (the same ordinance that adopts the certified plat or a separate one) that prohibits a permit to be issued for and any building or structure or part thereof to be erected on any land located within the proposed future outside lines shown on the adopted certified plat?</p> <p>(M.C.L. 125.54)</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>This is an option in the Certification of City and Village Plats Act. Adopt an ordinance to do so if desired.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>14. If an ordinance from question 13 has been adopted, does that ordinance provide that the zoning board of appeals (or if no zoning exists, then a board of appeals created specifically for this purpose) shall have the power to grant a permit for a building or structure or part thereof to be erected on land located within the proposed future outside lines shown on the adopted certified plat? (M.C.L. 125.54)</p>	<p>Yes or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Certification of City and Village Plats Act requires the clause in the ordinance if such an ordinance or ordinance provision is adopted. Adopt or amend the ordinance to include these clauses.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>15. Does the record show that any appeal (discussed in question 14) is granted only if the following are found to be the case upon a findings of fact and recitation of reasons?</p> <p>a. That the entire property of the appellant located in whole or in part within the outside lines shown on the certified plat cannot yield a reasonable return to the owner unless such permit is granted.</p> <p>b. That, balancing the interest of the municipality in preserving the integrity of the certified plat and the interest of the owner in the use and benefits of the property, the granting of the permit is required by considerations of justice and equity.</p> <p>c. The appeal may include specification of the exact location, ground area, height, and other details and conditions of size, character and construction, and duration of the building or structure that is permitted. (M.C.L. 125.54)</p>	<p>Yes or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Certification of City and Village Plats Act requires that appeals be based on these items if such an ordinance or ordinance provision is adopted. Adopt or amend the ordinance to include clauses that require this.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>16. Does the record show that any appeal (discussed in question 14), was not granted until after the following had occurred?</p> <p>a. The board of appeals held a public hearing on the issue.</p> <p>b. Notice of the hearing was issued at least 10 days prior to the hearing.</p> <p>c. Notice was sent to the appellant. (M.C.L. 125.54)</p>	<p>Yes or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Certification of City and Village Plats Act requires this if such an ordinance or ordinance provision is adopted. Adopt the ordinance again, or amend the ordinance to correct this.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Preliminary Plat of a Subdivision/Draft Site-Condo Master Deed Review Procedure

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>1. Is there a preapplication meeting opportunity for developers? (This is only at the option of the applicant and cannot be required pursuant to the Land Division Act.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. If desired, consider instituting this.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>2. Is there a clause in the subdivision ordinance⁸ that requires the legislative body to refer a preliminary subdivision plat⁹ /site-condo draft master deed to the planning commission for review? (M.C.L. 560.112)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> Having such a procedure in place is a best practice. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

⁸“Subdivision ordinance” as used here means that ordinance adopted pursuant to the Michigan Land Division Act (P.A. 288 of 1967, as amended, M.C.L. 560.101 et seq.). Many communities also incorporate *land division* provisions in the subdivision ordinance. Many communities also incorporate *site-condominium* provisions in the subdivision ordinance (as part of an effort to document that subdivisions and site-condominiums are treated the same). The term “subdivision ordinance” is intended to mean any one of the possibilities explained in this footnote.

⁹“Plat” means the drawing of the proposed subdivision. A preliminary plat is usually on paper but may be on other media. With site-condominiums, the equivalent would be the “draft master deed.” The final plat, and the master deed, both refer to the proposed finished, or actual completed and approved rendition of the development. Usually a final plat is prepared on Mylar with permanent black ink for long-term archive purposes. “Subdivision” means the actual physical on-the-ground improvements that make up the development.

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>3. Is there a process for holding a hearing on a proposed plat before the planning commission takes action to tentatively approve the preliminary plat of the subdivision (or draft master deed of the development), with notices provided not less than 15 days prior to the hearing to the landowner, the person submitting the proposed plat, and immediately adjoining landowners? (M.C.L. 125.3871 (5), (6), and (7))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>4. Is there a process for acting on the proposed plat/draft master deed, based on standards contained within the ordinance, rules, and Land Division Act (M.C.L. 560.101 <i>et seq.</i>), with a recommendation to the legislative body of tentative approval, approval with conditions, or disapproval of the preliminary subdivision/site-condo within 63 days after the proposed preliminary plat/draft master deed has been submitted? (M.C.L. 125.3871 (5), (6), and (7))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>5. Is there a clause in the subdivision ordinance or bylaws that indicates that, if the planning commission and legislative body do not act with tentative approval or denial within 90 days, the preliminary subdivision/draft master deed shall be considered tentatively approved (unless the proprietor [landowner, owner's agent, etc.] agrees to an extension of time)? (M.C.L. 560.112)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Land Division Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>6. Does the ordinance or rules include standards for design shown on the plat, including arrangement of streets to other existing or planned streets and the plan? (M.C.L. 125.3871(2)) (See also "Subdivision Ordinance Content" starting on page 19.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is an option in the Michigan Planning Enabling Act. Having such standards in place is a best practice. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>7. If this review is being done for a city or village, does the ordinance include the requirement to conform to an adopted certified plat? (M.C.L. 125.51 <i>et seq.</i>)</p>	<p>Yes <input type="checkbox"/> or N/A <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is an option provided by the Certification of City and Village Plats Act. It is a best practice to have adopted a certified plat map and to require conformance.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>8. Does the ordinance or rules include standards for adequate and convenient open spaces for traffic, utilities, access to firefighting apparatus, recreation, light, and air? (M.C.L. 125.3871(2)) (See also "Subdivision Ordinance Content" starting on page 19.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is an option in the Michigan Planning Enabling Act. Having such standards in place is a best practice. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>9. Does the ordinance or rules include standards for avoidance of congestion of population, including minimum width and area of lots? (M.C.L. 125.3871(2)) (See also "Subdivision Ordinance Content" starting on page 19.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is an option in the Michigan Planning Enabling Act. Having such standards in place is a best practice. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>10. Does the ordinance or rules include standards for the extent to which streets shall be graded and improved as a condition or precedent to the approval of a subdivision? (M.C.L. 125.3871(2)) (See also "Subdivision Ordinance Content" starting on page 19.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is an option in the Michigan Planning Enabling Act. Having such standards in place is a best practice. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>11. Does the responsibility to review subdivisions/site-condominiums start with a staff or planning consultant review of the preliminary plat/draft master deed with a written staff report for the planning commission?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> Best practice is to have such procedure in place. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>12. Is there an application form that should be filled out for preliminary review of subdivisions/site-condos?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>13. Does the staff report on the review of the subdivision/site-condo include a checklist of items that should be considered, and is that checklist used by the planning commission before a proposed subdivision/site-condo is tentatively approved or denied?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>14. Before a review begins, is a check done to make sure that the application is complete and all materials required to be submitted have been, and a review does not occur if the application is not complete?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>15. Does the tentative approval include a statement that the tentative approval is conditioned upon the subsequent approval of the following?</p> <p>a. The county road commission. b. The county drain commission. c. The Michigan Department of Transportation. d. The Michigan Department of Natural Resources and Environment. e. The local health department or Michigan Department of Community Health.</p> <p>(M.C.L. 125.113 to 125.118)</p> <p>Note: For a subdivision, these approvals must occur within 30 days. Approvals can be consecutive or may be concurrent. Approvals shall be concurrent if a county coordinating committee has been created by county ordinance.</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>This is required by the Land Division Act. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>16. After the applicable agencies listed in question 15 have approved the preliminary plat/draft master deed, does the procedure require the preliminary subdivision/site-condo to come back to the municipality for approval or rejection of the preliminary plat/draft master deed?</p> <p>(M.C.L. 560.120)</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>It is a best practice is to have such procedure in place. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>17. Is there a clause in the subdivision ordinance or bylaws that requires the legislative body to refer a subdivision/site-condo to the planning commission for review?</p> <p>(M.C.L. 560.120)</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>It is a best practice is to have such procedure in place. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>18. Is there a process for acting on the preliminary plat/draft master deed, based on standards contained within the ordinance, rules, and (for plats only) the Land Division Act (M.C.L. 560.101 <i>et seq.</i>), with a recommendation to the legislative body of approval, approval with conditions, or disapproval of the subdivision so that the legislative body can act within 20 days after the proposed plat has been submitted after the agencies listed in question 15 have approved the plat? (M.C.L.560.120)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Land Division Act. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>19. Is there a clause in the subdivision ordinance or bylaws that indicates that, if the planning commission and legislative body do not act with approval or denial within 20 days, the subdivision shall be considered approved (unless the proprietor [landowner, owner's agent, etc.] agrees to an extension of time)? (M.C.L. 560.120)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Land Division Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>20. Is there a clause in the ordinance or bylaws that indicates that, if all standards contained within the ordinance, rules, and Land Division Act (M.C.L. 560.101 <i>et seq.</i>) are met, the subdivision shall be approved? (M.C.L. 125.3871 (5), (6), and (7))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>21. Is there a clause in the ordinance or bylaws that requires a recommendation to the legislative body for disapproval to be stated in the records of the planning commission? (M.C.L. 125.3871 (5), (6), and (7))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Michigan Planning Enabling Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>22. Does the legislative body have a fee schedule for review of preliminary plats/draft site-condos, and that fee does not exceed the reasonable costs of providing the services for which the fee is charged? (M.C.L. 560.241 and 560.246(1))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that the fee not exceed the reasonable amount of the actual cost to conduct the review. This should be corrected.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Final Plat of a Subdivision/Final Site-Condo Master Deed Review Procedure

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>1. Is there a process for acting on the final plat¹⁰/master deed, based on standards contained within the subdivision ordinance¹¹, rules, and M.C.L. 560.101 <i>et seq.</i>, whose only purpose is to make sure that the final plat/final master deed is the same as the preliminary plat/draft master deed that was approved? (M.C.L. 560.166 to 560.167)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Land Division Act. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

¹⁰“Plat” means the drawing of the proposed subdivision. A preliminary plat is usually on paper but may be on other media. With site-condominiums, the equivalent would be the “draft master deed.” The final plat and the master deed, both refer to the proposed finished, or actual completed and approved rendition of the development. Usually a final plat is prepared on Mylar with permanent black ink for long-term archive purposes. “Subdivision” means the actual physical on-the-ground improvements that make up the development.

¹¹“Subdivision ordinance” as used here means that ordinance adopted pursuant to the Michigan Land Division Act (P.A. 288 of 1967, as amended, M.C.L. 560.101 *et seq.*). Many communities also incorporate *land division* provisions in the subdivision ordinance. Many communities also incorporate *site-condominium* provisions in the subdivision ordinance (as part of an effort to document that subdivisions and site-condominiums are treated the same). The term “subdivision ordinance” is intended to mean any one of the possibilities explained in this footnote.

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>2. Does the responsibility to review start with preparing a written report on the final subdivision/site-condominium by staff or planning consultant review of the final plat, which is then provided to the planning commission and legislative body?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> Best practice is to have such a procedure in place. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>3. Does the staff report on the review of the subdivision/site-condo include a checklist of the items that should be considered, and is that checklist used by the planning commission and legislative body before a final subdivision/site-condo is approved or denied?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>4. Before a review begins, is a check done to make sure that the application is complete and all materials required to be submitted have been, and a review does not occur if the application is not complete?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>5. Does the review include a check for final plat approval by other approving agencies? a. Proprietor’s certificate on final plat is signed by proprietor. b. County treasurer’s certificate on final plat regarding taxes is signed by the county treasurer. c. County drain commission has approved the final plat. d. County road commission has approved the final plat. (M.C.L. 560.131 to 560.165) (Note: action by the (1) county plat board, (2) Michigan plat division, (3) Michigan Department of Transportation, and (4) recording by the county register of deeds occurs after the legislative body has approved the final plat. (M.C.L. 560.168 to 560.172))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Land Division Act. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>6. Is there a clause in the subdivision ordinance that requires the legislative body to refer the final subdivision/site-condo to the planning commission for review? (M.C.L. 560.112)</p> <p>(If this is done, the final approval must still be done within the 20 days [question number 10] and should not be more than a proofreading function to ensure that the final plat reflects what was approved in the preliminary plat.)</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>Having such a procedure in place is an option. Adopt the ordinance over again, or amend the ordinance to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>7. Is there a clause in the ordinance that requires a recommendation to the legislative body for disapproval to be stated in the records of the planning commission? (M.C.L. 125.3871 (5), (6), and (7))</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>This is required by the Land Division Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>8. Is there a clause in the ordinance or bylaws that indicates that if all standards contained within the ordinance, rules, and M.C.L. 560.101 <i>et seq.</i> are met, the subdivision shall be approved? (M.C.L. 125.3871 (5), (6), and (7))</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>This is required by the Land Division Act. Adopt the ordinance/rules over again, or see your government's attorney for advice on how to correct this problem.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>9. Does the legislative body have a fee schedule for review of final plats, and does that fee not exceed the reasonable costs of providing the services for which the fee is charged? (M.C.L. 560.241 and 560.246(1))</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>The Land Division Act requires that the fee not exceed the reasonable amount of the actual cost to conduct the review. This should be corrected.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>10. Is the municipal review and approval or denial always done in 20 days or less?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is required by the Land Division Act. Start the practice of doing so from this point forward. If needed, amend the ordinance to include the deadline.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>11. Does the person conducting the review have a filing system to track approved subdivisions and site-condos?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>12. Is there an established process, once a plat of a subdivision has been approved, to reflect in the plan document or records that the plan was amended by the subdivision approval by causing the official copies of the plan to be modified to reflect the amendment to the plan? (M.C.L. 125.3871(7)) (Consider having a deadline for modification of the plan to reflect the amendment, such as within 45± days of the subdivision approval.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Michigan Planning Enabling Act requires that a subdivision approval be an amendment to the plan. It is a best practice to make sure this amendment is reflected in the copy(ies) of the plan. Such a procedure should be in place and should also be used for any subdivision approvals done after September 1, 2008.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Land Division Review Procedure

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>1. Is the tax assessor responsible for reviewing land divisions, or is the responsibility assigned to another individual (not done by a board, commission, or committee), or assigned to a county official (if a municipality has a population less than 2,500)? (M.C.L. 560.109(1))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires the review to be done by the tax assessor or a “municipality-designated official”, or be delegated to a county official. It cannot be done by a board or commission. This should be corrected as soon as possible.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>2. Is there an application form that should be filled out for review of land divisions?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>3. Does the person conducting the review have a checklist of items that should be considered before a proposed land division is approved or denied?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>4. Before a review begins, is a check done to make sure that the application is complete and all materials required to be submitted have been, and a review does not occur if the application is not complete?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>5. Does the complete application include at a minimum the following?</p> <p>a. For each proposed parcel, an adequate and accurate legal description.</p> <p>b. A tentative parcel map (a scale drawing) showing area, parcel lines, public utility easements, and the approximate dimensions of the parcels.</p> <p>c. A copy of the proposed deed for each proposed division or policy that the letter(s) of approval specifies that the deed includes (1) the <i>Right to Farm Act statement</i>, (2) the <i>access statement</i> if applicable for new parcels 20 acres or more in size, and (3) a specific number of divisions transferred with the new parcel(s).</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>This is a best practice. Consider redesigning the application form to include these items.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>6. Does the review include a check of adjacent parcels to determine if they are “same ownership” for purposes of establishing the “parent parcel” as defined in the Land Division Act?</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>This information is required to do a proper review under the Land Division Act. This step should be part of the review process.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>7. Does the review include a check of the total acreage of the parent parcel?</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>This information is required to do a proper review under the Land Division Act. This step should be part of the review process.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>8. Does the review include a historical check (back to March 31, 1997) to determine the number of divisions that have already been made or parcels division rights that have already been deeded to another?</p>	<p>Yes <input type="checkbox"/></p> <p>Good. Go to the next question.</p>	<p>No <input type="checkbox"/></p> <p>This information is required to do a proper review under the Land Division Act. This step should be part of the review process.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done.</p> <p>Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>9. Does the review include a determination of the number of divisions still allowed (total divisions allowed by the Land Division Act minus divisions already done minus divisions deeded to another)? (M.C.L. 560.109(1)(f) and 560.108)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that proposed divisions be denied if the number of divisions exceeds the number allowed by statute.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>10. Does the review include a check for adequate public utility easements and accessibility? (M.C.L. 560.109(1)(a))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that proposed divisions could be denied if adequate public utility easements and accessibility are inadequate.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>11. Does the review include a check against the local zoning ordinance, land division/subdivision/site-condo ordinance, or both to make sure that proposed divisions comply with parcel size requirements (area, width)? (M.C.L. 560.109(1)(c and d))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that proposed divisions be denied if the proposed division does not comply with local zoning ordinance parcel size requirements.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>12. Does the review include a check against a width-to-depth ratio requirement of 1:4 (or a different width-to-depth ratio required by local zoning ordinance or land division/subdivision/site-condo ordinance) or a more square width-to-depth ratio than required for proposed parcels 10 acres or less in size? (M.C.L. 560.109(1)(b)) (Note: A local ordinance may have a width-to-depth ratio apply to parcels larger than 10 acres.)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that proposed divisions be denied if the proposed division does not comply with width-to-depth requirements in statute or local ordinance.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>13. Does the review include a check to make sure that each proposed parcel is accessible (as defined by local ordinance and the Land Division Act) (M.C.L. 560.109(1)(e)), or that a copy of the proposed deed(s) for any parcel that is 20 or more acres in size that is not accessible includes a statement that reads, “This parcel is not accessible as defined in the Land Division Act of 1967, P.A. 288, M.C.L. 560.101 to 560.293,” or policy that the letter(s) of approval specifies that the deed includes the access statement, if applicable, for new parcels 20 acres or more in size? (M.C.L. 560.109b(2))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that proposed divisions be denied if the proposed division does not meet accessibility requirements in statute or local ordinance.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>14. Does the review process include a sign-off or review by the road agency (county road commission, city/village street administrator, Michigan Department of Transportation, whichever one[s] is/are applicable) for proposed new road(s) and driveway(s) for each proposed new parcel(s)? (M.C.L. 560.109(1)(e))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>15. Does the review include a check that each resulting parcel that is a development site has adequate easements for public utilities from the parcel to existing public utility facilities? (M.C.L. 560.109(1)(g))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that proposed divisions be denied if the proposed division does not meet adequate easement requirements in statute or local ordinance.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>16. Does the review include a check to see that the proposed deed(s) contains the following statement: “This property may be located within the vicinity of farm land or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act,” or policy that the letter(s) of approval specifies that the deed includes the <i>Right to Farm Act</i> statement? (M.C.L. 560.109(4))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that deeds for divisions not be approved if the specified language is missing from the deed.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>17. Does the review include a check to see that the proposed deed(s) contains the following statement: “The grantor grants to the grantee the right to make [insert a whole number] division(s) under section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967,” or policy that the letter(s) of approval specifies that the deed includes a specific number of divisions transferred with the new parcel(s)? (M.C.L. 560.109(3)).</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that deeds for divisions not be approved if the specified language in the deed is missing.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>18. Does the review not include any requirement for district health department approval of an on-site water supply, on-site sewage disposal, or public water and public sewer? (M.C.L. 560.109a(1))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that if a parcel is less than 1 acre in size, a building permit not be issued for that parcel. However, there is no authority to withhold land division approval in these circumstances.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>19. Does the legislative body have a fee schedule for review of proposed land divisions, and does that fee not exceed the reasonable costs of providing the services for which the fee is charged? (M.C.L. 560.109(5))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that the fee not exceed the reasonable amount of the actual cost to conduct the review. This should be corrected.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>20. Is the review and approval or denial always done in 45 days or less from receiving a complete application?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that proposed divisions be denied or approved within 45 days. Best practice is for divisions normally to be acted upon within one or two days – roughly the same speed as a use-by-right zoning permit.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>21. Does the person conducting the review have a filing system to track parent parcels, divisions already approved, division rights that have been transferred to another, parcels approved without access, and redivisions?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Splitting a Lot in an Existing Subdivision Review Procedure

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>1. Is there is a local ordinance (land division/subdivision/site-condo) that establishes a procedure for review and approval of splitting a lot, outlot, or other parcel in an existing subdivision, or specifies that a lot, outlot or other parcel in an existing subdivision is not allowed to be further split? (M.C.L. 560.263)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that a local ordinance be in place for further division/split of a lot, outlot, or other parcel in an existing subdivision. Without such a procedure in place, splitting lots in existing subdivisions cannot be allowed.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>2. Is there an application form that should be filled out for review of further dividing lots, outlots or other parcels in existing subdivisions?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>3. Does the person conducting the review have a checklist of items that should be considered before a proposed lot split is approved or denied?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>4. Before a review begins, is a check done to make sure that the application is complete, all materials required to be submitted have been, and a review does not occur if the application is not complete?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>5. Does the review include a historical check to determine why the original subdivision was approved with the configuration of the lot, outlot, or other parcel, which reason should be taken into account or preserved at the current time?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>6. Does the review include a determination that the number of divisions resulting from the lot split shall not be more than four? (M.C.L. 560.263)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that a proposed lot split be denied if the number of divisions exceeds four.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>7. Does the review include a check to make sure that any lot, outlot, or other parcel of land not served by public sewer and public water systems shall not be further split if the resulting parcels are smaller than the minimum width and area provided for in the Land Division Act or local ordinance? (M.C.L. 560.263)</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that a proposed lot split be denied if the area or width is too small.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>8. Does the review include a check against the local zoning ordinance, land division/subdivision/site-condo ordinance, or both to make sure that proposed divisions comply with parcel size requirements (area, width) and accessibility, and that adequate utility easements are retained?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>9. Does the legislative body have a fee schedule for review of proposed lot splits, and does that fee not exceed the reasonable costs of providing the services for which the fee is charged? (M.C.L. 560.109(5))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that the fee not exceed the reasonable amount of the actual cost to conduct the review. This should be corrected.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Question	Affirmative (we are doing it) answer	Negative (need to correct) answer	Action to correct has been done
<p>10. Is the review and approval or denial always done in a prompt manner?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that proposed divisions be denied or approved within 45 days. Best practice is for divisions normally to be acted upon within one or two days – roughly the same speed as a use-by-right zoning permit.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>11. Does the review not include any requirement for district health department approval of an on-site water supply, on-site sewage disposal, or public water and public sewer? (M.C.L. 560.109a(1))</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> The Land Division Act requires that, if a parcel is less than 1 acre in size, a building permit not be issued for that parcel. However, there is no authority to withhold land division approval in these circumstances.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>
<p>12. Does the person conducting the review have a filing system to track lot, outlot, and other parcels in a subdivision, so that in the future, the number of lot splits already approved/done is known and denied lot splits are recorded?</p>	<p>Yes <input type="checkbox"/> Good. Go to the next question.</p>	<p>No <input type="checkbox"/> This is a best practice. Instituting this practice should be strongly considered.</p>	<p>Check this box: <input type="checkbox"/> to indicate this is an improvement that needs to be done. Check this box: <input type="checkbox"/> to indicate when improvement is done.</p>

Chapter 3: Smart Growth

The purpose of this section is to provide basic information and introduce communities to the 10 tenets of smart growth. Covered here are the basics necessary for the administration and operation of zoning. If your community is interested in incorporating the principles of smart growth into its ordinances and develop according to the smart growth principles, the Smart Growth Readiness Assessment Tool (SGRAT) can be used to guide your community through an evaluation of the plans and implementation tools currently used to guide growth. This assessment can also help your community identify tools that may help produce a smart pattern of growth in the future.

This document represents the first stage of a community assessment. To go on to the next step in assessing your community's planning and zoning, you should review the Smart Growth Readiness Assessment Tool on the Internet. Go to <http://www.landpolicy.msu.edu/sgrat/>.

1. The Governor's Land Use Leadership Council used the following smart growth tenets¹² for many of the recommendations contained in its report on land use in Michigan. These 10 tenets can form the basis for establishing a set of state land use goals.
 - a. Mix land uses.
 - b. Compact building design.
 - c. Increase housing choice.
 - d. Encourage walking.

- e. Offer transportation variety.
 - f. Create a sense of place.
 - g. Protect farms, unique natural features, open spaces.
 - h. Direct new development to existing communities.
 - i. Make development process fair, predictable, efficient.
 - j. Involve stakeholders.
2. What is smart growth?
 - a. Smart growth is development that serves the economy, the community, and the environment.
 - b. It provides a framework for communities to make informed decisions about how and where they grow.
 3. Why smart growth? It makes dollars and sense because it is financially conservative, environmentally responsible, and socially beneficial.
 - a. Financially conservative
 - i. Makes responsible use of public money.
 - ii. Reuses existing buildings.
 - iii. Uses existing roads and highways.
 - iv. Uses existing water/sewer infrastructure.
 - v. Uses higher density to maximize the value of publicly funded facilities and services.
 - vi. Keeps taxes and public service costs low.
 - b. Environmentally responsible
 - i. Uses and/or reuses developed areas.
 - ii. Keeps impervious surfaces to a minimum by concentrating dense development.
 - iii. Builds to fit existing land rather than changing the land to fit what is built.
 - iv. Avoids oversized lots and yards to reduce excessive mowing, fertilizing, etc.

¹²Smart Growth Network. *Getting to Smart Growth*. Washington, D.C.: Smart Growth Network. [Online, cited 8/3/03.] Available at: <http://www.smartgrowth.org/PDF/GETTOSG.pdf>.

For more detail and examples, see <http://www.smartgrowth.org/pdf/gettosg.pdf>.

- c. Socially beneficial
 - i. Encourages people to live close enough to one another for comfortable interaction.
 - ii. Designs residential areas for conversation from the sidewalk

- iii. Encourages “eyes on the street” at all hours to reduce crime and fear of crime.

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