

SECTION 512 ACCESS MANAGEMENT and RESTRICTIONS

The intent of this Section is to provide safe and efficient travel along public roadways within Garfield Township. Due to the rapid and continuous growth of our community, the implementation of access management standards is necessary for undeveloped lands and the redevelopment of lands. These roadways tend to serve higher volumes of regional traffic and require increased access control measures to preserve their traffic functionality and safety. There is no inherent right to receiving access or additional access to a parcel or parcels.

1. Reviewing Authority

- a. The Planning Commission shall be the reviewing authority regarding access for the development of property and shall have the authority to require a reduction in current or proposed road access locations and/or require shared access to one (1) or more parcels.
- b. The Zoning Administrator shall review driveways to newly created single-family lots with frontage on a County Road.

2. Access Control Measures

All land located within a single property tax code and fronting on a state highway or county road shall be entitled to one (1) driveway or road access per existing parcel. Parcels when subsequently subdivided for the purpose of development, either as metes and bounds described parcels, platted subdivision, condominium developments, and/or projects subject to Sections 422-429 of this Ordinance shall be accessed by public or private roads, service drives, or other approved means of shared access that limits access to public roadways.

3. Qualifying Standards for Additional Access

- a. Access to land fronting a County Road may be permitted to exceed one (1) driveway or road access per existing parcel provided that each of the following standards can be met:
 - i. The request is not a result of a self-created issue by current or previous ownership.
 - ii. The request is not contrary to a previously approved plan or project that limited access to the parcel.
 - iii. Cross-access easements are provided to adjacent properties and all parcels are interconnected to achieve the intent of this Section.
 - iv. Each additional access is located in such a manner that there is a minimum of 300 feet of separation measured from centerline to centerline of current and proposed road access.
- b. Access to land located along Hartman~~n~~ and Hammond Roads may be permitted to exceed one (1) driveway or road access per existing parcel provided that there is a minimum of 400 feet of separation measured from centerline to centerline of current and proposed road access, and provided further that the standards in Section 3a i, ii, and iii above can be met.

- c. All lands fronting on US-31 may be permitted to exceed one (1) driveway or road access per existing parcel provided that there is a minimum of 600 feet of separation between each road access measured from centerline to centerline of current and proposed road access, and provided further that the standards in Section 3a i, ii, and iii above can be met.

4. Relief and Flexibility

- a. The Planning Commission may allow relief from the separation standard stated in Section 3 above provided that the applicant can meet the Qualifying Standards of Section 3, and further provided that the each of the following standards can be met:
 - i. The applicant has demonstrated that the access separation required under this Section is not feasible due to a public safety concern OR additional access in strict compliance with the access separation required under this Section will be detrimental to natural features such as streams, wetlands, steep slopes, or other natural features.
 - ii. The separation distance is the minimum possible to satisfy the separation intent of this Section.
 - iii. The additional access is located the minimum distance from proposed and existing road access.
 - iv. The request is not a means of circumventing the intent of this Section or the Ordinance.
- b. The Zoning Administrator may allow relief from the separation standard stated in Section 3 above in the case of single-family residences provided that each of the following standards can be met:
 - i. The creation of the lot is for the purpose of one (1) single-family residence.
 - ii. The access to the parcel is permitted by the Grand Traverse County Road Commission (GTCRC) and meets all required County standards.
 - iii. The request is not a means of circumventing the intent of this Section or the Ordinance.
- c. The Zoning Administrator may allow relief from the separation standard stated in Section 3 above in the case of agricultural driveways provided that each of the following standards can be met and continue to be met:
 - i. The proposed driveway remains permitted as an Agricultural Entrance by the GTCRC in the case of a county road or is permitted as a Residential Driveway or Farm Field Driveway by the Michigan Department of Transportation (MDOT) in the case of a state highway.
 - ii. The proposed driveway serves an Agricultural Operation as defined in this Ordinance in the determination of the Zoning Administrator.
 - iii. The request is not a means of circumventing the intent of this Section or the Ordinance.

5. Service Drive Design Standards

When applicable, the applicant shall submit an engineered plan for the review of a service drive by the Township Engineer for compliance with engineering, construction, stormwater, and/or traffic standards, if necessary.

- a. At the minimum, service drives shall be constructed at a width of twenty (20) feet and shall be constructed in accordance with the Design Guidelines – AASHTO Interim Structural Pavement Design Procedure Adopted for All Season County Roads, as amended.
- b. At the minimum, a 15-foot snow storage and landscaping area on either side of the service drive or the equivalent shall be provided.
- c. The access drive shall be constructed of a hard surface such as asphalt, concrete, permeable pavement or pavers, or similar materials approved by the Township, but not including gravel.
- d. Adequate stacking and maneuvering shall be provided to avoid unnecessary vehicular stacking hazards.
- e. The approval document and engineered plan shall be recorded in accordance with Section 425.H of the Ordinance.
- f. Construction of the service drive shall be required prior to the issuance of a Certificate of Occupancy for a permitted use.

6. Maintenance

- a. A joint maintenance agreement addressing the standards of Section 521.F(3) - Private Street Maintenance Agreement shall be entered into and recorded with any Service Drive at the Grand Traverse County Register of Deeds.
- b. Joint maintenance agreements shall be recorded as a general deed restriction and shall bind the owners, including their successors and assigns, of all lots, parcels, or condominium units with access to the service drive.

7. Limited Use

- a. In order to avoid undue interference with the shared use of any Service Drive, uses such as storage, display, loading or unloading, or similar actions that interfere with the use of a Service Drive are prohibited.
- b. Any access, including construction access, shall be in accordance with the approved plan.

8. Existing Projects

Projects previously approved either as platted subdivision, condominium development, and/or projects subject to Sections 422-429 of this Ordinance shall follow the Major Amendment procedure to request additional access to applicable roadways. No inherent right exists to receive additional access to a parcel regardless of meeting the separation distance.