

ARTICLE 15
PRIVATE ROADS AND ACCESS MANAGEMENT

Sec. 15.01 STATEMENT OF PURPOSE

- 15.01.01 **Intent of Access Management.** The intent of this Article is to establish standards for driveway spacing and the number of driveways for application during the site plan review process. The standards of this Article are intended to promote safe and efficient travel within the township; minimize disruptive and potentially hazardous traffic conflicts; separate traffic conflict areas by reducing the number of driveways; provide efficient spacing standards between driveways, and between driveways and intersections; implement recommendations of the Master Plan and Township Engineering Standards; protect the substantial public investment in the street system; and to ensure reasonable access to properties, though not always the most direct access. (as amended 3/5/10)
- 15.01.02 **Applicability of Township, County and MDOT Standards.** The standards of this Article apply to areas outside the right-of-way, which are under Township jurisdiction through site plan review. The driveway standards herein may be more restrictive than the standards of the Livingston County Road Commission and Michigan Department of Transportation, which have jurisdiction within the right-of-way. Construction within the public right-of-way under the jurisdiction of Livingston County must also meet the permit requirements of the County. Where any conflicts arise, the more stringent standard shall apply.
- 15.01.03 **Intent of Private Roads.** Genoa Township generally discourages the establishment of private roads. However, standards for private roads are provided for instances where severe topography or important natural features, such as wetlands and woodlands, would be compromised by construction of streets to public standards. The owners accessing private roads assume full liability and maintenance responsibilities for private roads.

Sec. 15.02 DEFINITIONS

- 15.02.01 **Commercial Driveway:** For the purposes of this Article, a commercial driveway is defined as any vehicular access except those serving dwelling units, or serving just an essential public service structure.
- 15.02.02 **Limited Access Driveway:** For the purposes of this Article, a limited access driveway is defined as any vehicular access where turning movements are restricted to right turn in and out only. Left turns are prohibited.
- 15.02.03 **Private Road:** A road owned and maintained by the owners of the property it serves and provides access to five (5) or more dwelling units or parcels; or two (2) or more non-residential principal buildings or lots. Private roads include roads within site condominium projects, roads serving two family dwelling units and roads within office or industrial complexes. A private road may be used to provide public services such as utility easements, waste collection and emergency services. The definition of "private road" does not include drives serving multiple family buildings with three (3) or more attached dwelling units, parking lot aisles or drives connecting parking lots to internal roads.
- 15.02.04 **Shared residential driveway (private):** A residential driveway that provides vehicular access to two (2) to four (4) single family dwelling units.

Sec. 15.03. ACCESS TO DEDICATED STREETS

- 15.03.01 **Lot Frontage.** Any lot created after the effective date of this Ordinance shall have frontage upon a public street right-of-way or legally recorded access easement meeting the standards of this Article.
- 15.03.02 **Additional access requirements for specific types of uses:**
- (a) Single family dedicated lots or condominium sites within a planned unit development may have secondary access to a dedicated street through a private road built to County Road standards.
 - (b) The Planning Commission may allow secondary access to a dedicated street through a private frontage road, service drive or private road within an approved access easement.
 - (c) Multiple family developments, mobile home parks and other types of medium-high density residential development shall have access to a County Primary Road or a thoroughfare with a right-of-way at least eighty-six (86) feet wide.

Sec. 15.04 STANDARDS FOR SHARED RESIDENTIAL DRIVEWAYS

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

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

Sec. 15.05. PRIVATE ROAD STANDARDS

- 15.05.01 **Applicability of Public vs. Private Road Standards:** All private roads in Genoa Township, as defined above, shall be constructed to the standards of the Livingston County Road Commission unless the Planning Commission and Township Board determine that all of the following apply:
- (a) There is no indication of a need for the roadway to be dedicated as a public road in the future.

- (b) Dedication of the road as a public street would not result in continuity in the public street system at the present time or in the future.
- (c) The expected traffic volumes along the roadway are not expected to exceed five hundred (500) vehicles per average weekday, based on accepted trip generation figures.
- (d) Significant natural features such as mature trees, natural slopes, wetlands or other water bodies would be preserved through construction and maintenance as a private road.
- (e) The property owners are providing financial and administrative mechanisms to ensure maintenance of the private road. A copy of a Private Road Maintenance Agreement shall be provided to the Township in a manner acceptable to the Township Attorney and approved by the Township Board.

15.05.02 **Private Road Application:** The following shall be submitted to the Township, either separately or in conjunction with a site plan according to Article 18.

- (a) Parcel number and name of owner for all properties having legal interest in the private road.
- (b) Plans designed by a registered engineer showing location, dimension and design of the private road. The plan shall identify existing and proposed elevation contours within all areas to be disturbed or altered by construction of the private road.
- (c) Location of all public or private utilities located within the private road right-of-way or easement, or within twenty (20) feet including, but not limited to: water, sewer, telephone, gas, electricity, and television cable.
- (d) Location of any lakes, streams, drainageways, MDNR regulated wetlands, or trees with a caliper of eight (8) inches or greater, within 100 feet of the proposed private road right-of-way or easement;

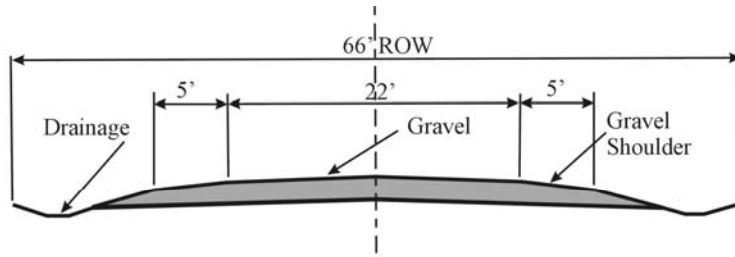
15.05.03 **Private Road Design Standards:** Private roads which the Township has determined do not need to comply with all of the standards of the Livingston County Road Commission as noted above shall be constructed to the following standards:

- (a) Compliance with AASHTO standards: Except as otherwise provided in this Section, private road design plans shall meet the design criteria outlined in the most recent edition of the American Association of State Highway and Transportation Officials (AASHTO) Manual "A Policy on Geometric Design for Highways and Streets."
- (b) Access easement width: The site plan shall provide an easement or easements sixty-six (66) feet in width. The Planning Commission may reduce the required width to not less than fifty (50) feet when all of the following criteria are met:
 - (1) the width is determined to be adequate for the necessary pavement and utilities;
 - (2) adequate clear sight distance can be maintained;
 - (3) there is no desire or reasonable expectation that the road, as shown could become a public street or potentially extended in the future;

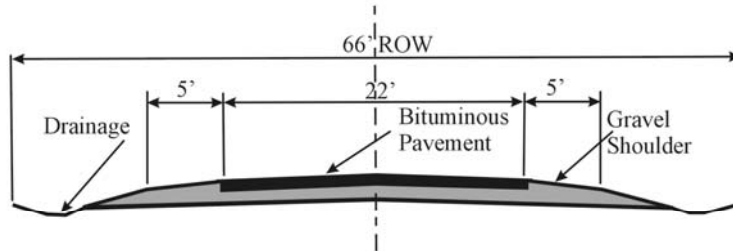
- (4) is not expected to accommodate over three hundred (300) vehicle trips per average weekday based on accepted traffic generation figures.
 - (5) if, in addition to the above, the easement will only provide access to a maximum of four (4) single family lots or dwelling units, the width may be reduced to forty (40) feet.
- (c) Road design: All private roads shall meet the public street base, pavement width, surface, slope and drainage system standards of the Livingston County Road Commission, except as provided herein. The pavement material, width and curbing requirement shall be based upon the density of the proposed development as follows:

Lot Size	Roadway Function (1)	Min. Road Width (2)	Pavement Type (3)	Curb and Gutter (4)
Five acres or more	Local	22 ft.	May be gravel	Not required
Two acres or more	Local	22 ft.	Paved; may be gravel if serving 18 or fewer lots	Not required
One acre or more	Local	22 ft.	Paved	Not required
18,000 square feet or more	Local	26 ft.	Paved	Required
	Collector	30 ft.	Paved	Required
Less than 18,000 square feet per lot or multiple family	Local	28 ft.	Paved	Required
	Collector	30 ft.	Paved	Required
Commercial, office or industrial	n.a.	30 ft.	Paved	Required

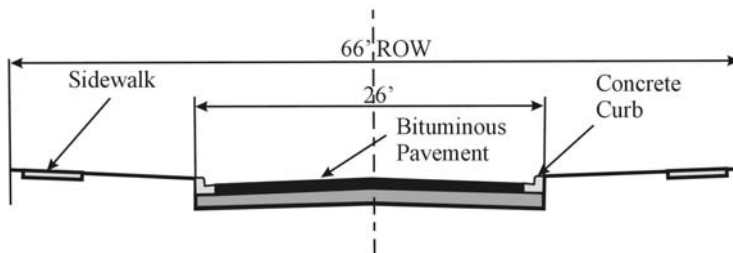
- (1) A collector road shall be required for any development containing 80 or more dwelling units, which shall serve as the principal access road for the development. Other local roads that access the collector road shall be permitted at the narrower local road width.
- (2) The width of the road required in the above table shall be measured from back to back of curb for roads with curbing and shall be measured as the pavement width for roads that do not have curbing.
- (3) The design of private roads shall be reviewed by the Township Engineer for conformance with Township engineering standards. Where pavement is required, the road shall be paved with asphalt or concrete meeting the material thickness and base requirements of the Livingston County Road Commission. Where a gravel road is permitted, it shall be constructed of eight (8) inches of compacted MDOT 22AA gravel.
- (4) Where the road is required to have curb and gutter, it shall be concrete and meet Township engineering standards. Where curb and gutter is not required, a minimum of five (5) foot wide gravel shoulder shall be provided on both sides of the road. The Planning Commission may waive the requirement for curb and gutter based upon the review and recommendation of the Township engineer and planner.
- (5) The standards above are minimum and a petitioner shall be allowed to propose a higher classification of road in terms of width, pavement or curbing, subject to approval by the Township engineer.



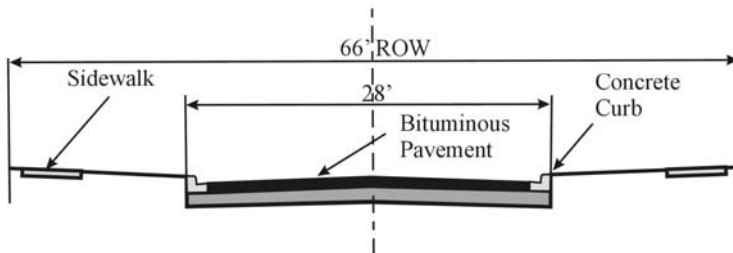
Country Estate with 5+ acre residential lots
Rural Residential Road serving 18 or fewer 2+ acre residential lots



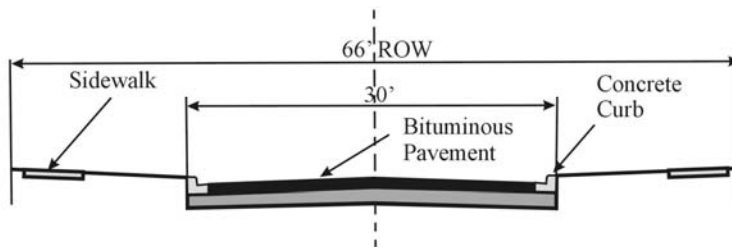
Low Density Residential Road with 1+ acre residential lots
Rural Residential Road serving more than 18 - 2+ acre residential lots



Suburban/Urban Residential Local Road with 18,000+ sq. ft. residential lots



Medium/High Density Residential Local Road with less than 18,000 sq. ft. Lots & multiple family



Residential Collector, Commercial and Industrial Road

- (d) Maximum length, cul-de-sac turnarounds: Maximum length of a private road shall be one thousand (1000) feet with a maximum twenty-four (24) lots or dwelling units served by a single means of access. Any single means of access serving more than five (5) lots or dwelling units shall include a turn-around with a center landscaped island or a continuous loop layout in compliance with the Township Engineering standards. A larger turnaround may be required for commercial and industrial private roads. These standards may be adjusted by the Planning Commission in particular cases, with input from the fire department and Township staff or consultants, provided there is a finding that traffic impacts are adequately mitigated and a second means of emergency access can be required by the Planning Commission.
- (e) Grade: Grades shall comply with the Township Engineering standards.
- (f) Horizontal curve: The minimum horizontal curve radius shall comply with the Township Engineering standards. The Planning Commission may reduce the radius on local residential streets if the design would accommodate expected vehicle speeds and truck/bus traffic, as determined by the Township Engineer and Planner, in cases where a significant number of mature trees would be preserved or where the width of the parcel would not accommodate wider radii.
- (g) Intersection design standards: Private roads which intersect with existing or proposed private roads or public street rights-of-way shall comply with the Township Engineering standards and should intersect at a ninety (90) degree angle. Where constrained by environmental features, the Township Engineer may allow a reduced angle of intersection..
- (h) Minimum offsets: Intersection offsets from public streets and along private roads and driveways shall comply with the Township Engineering standards. The standard for intersection offsets from public streets may be reduced upon review and recommendation by the Township Engineer and approval by the Livingston County Road Commission.
- (i) Boulevard medians: Where a boulevard median is proposed, the median shall have a minimum width of eight (8) feet and the roadways on both sides of the median shall have a width of at least eighteen (18) feet. Intersections shall meet the LCRC standards for median approaches and shall be designed to accommodate truck turning radii.
- (j) Vertical Clearance: In order to provide adequate access for emergency vehicles, fifteen (15) feet of overhead tree clearance shall be provided within the width of the gravel or pavement.
- (k) Street names: Street names shall be approved by Livingston County following review by the Planning Commission and fire department.
- (l) Signs: All signs within the private road or access easement shall be identified on the site plan and be in accordance with the Michigan Manual of Uniform Traffic Control Devices, unless the Planning Commission approves another type of design for consistency with the character of the development. Street signs shall be provided at

all intersections. These signs shall contrast in terms of color with public street signs, and shall clearly indicate the road is private.

- (m) Yard Setback: A private road easement shall not abut the property line of an adjacent site unless adequate provisions are made for drainage and screening. (as amended 3/5/10)

15.05.04 Existing Nonconforming Private Roads and Access Easements

- (a) The Township recognizes there exist private roads, service roads and access easements which were lawful prior to the adoption of this Article that do not fully conform with the standards herein. Such roads are declared by this Section to be legal nonconforming roads or easements. The intent of this Section is to permit legal nonconforming roads and easements to continue and undergo routine maintenance for safety purposes, as determined by the Zoning Administrator. This Section is also intended to allow new construction to occur on existing lots which front along such a road on the effective date of this Article (October 7, 1991), if the roads are reasonably capable of providing sufficient access for the uses permitted in the zoning district and for provision of emergency service vehicles as determined by the Township. It shall be the responsibility of the land owner to maintain this access.

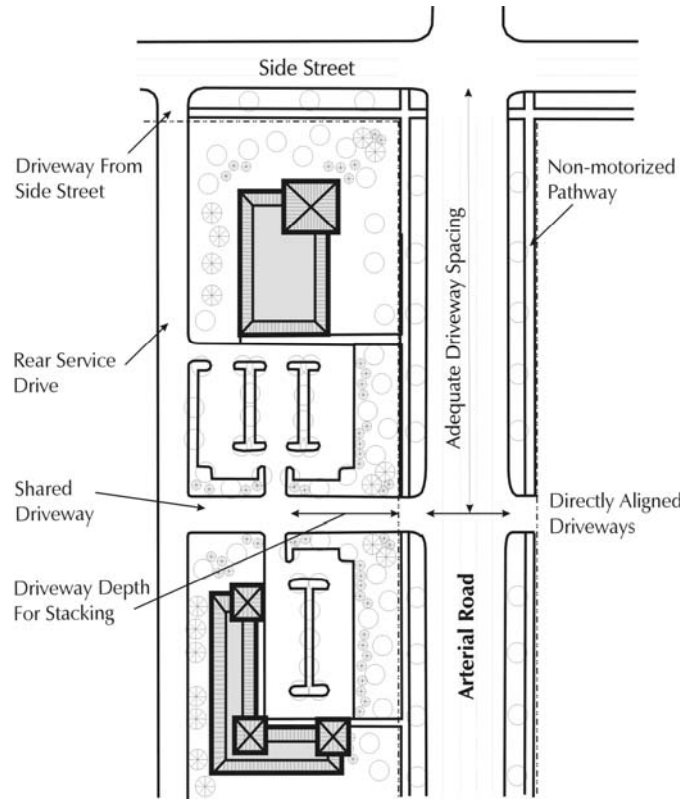
However, this Section is also intended to discourage the extension of nonconforming roads or increase the number of lots or building sites served by such a road, except in platted subdivisions, divisions of land or site condominium projects existing on the adoption date of this Section, unless provisions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

- (b) For purposes of determining whether a lot along a private road or access easement qualifies as an "existing lot" as used in this Section, at least one of the following conditions must have existed at the time this Article was adopted.
 - (1) The lot consists of a "condominium unit" for which a master deed had been recorded with the Livingston County Register of Deeds in accordance with the requirements of the Michigan Condominium Act and other applicable laws and ordinances.
 - (2) The lot consists of a parcel that was described by metes and bounds as recorded by a deed or as a land contract, and registered with the Livingston County Register of Deeds.
 - (3) The lot had been assigned a unique parcel number by the Livingston County Register of Deeds and was individually assessed and taxed on that basis.

Sec. 15.06 ACCESS MANAGEMENT

15.06.01. Driveway Location in General

- (a) Driveways shall be located so as to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade.
- (b) Driveways, including the radii but not including right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless otherwise approved by the Livingston County Road Commission and upon written certification from the adjacent property owner agreeing to such encroachment. (as amended 12/31/06)



15.06.02. Driveway Spacing Standards

- (a) Minimum spacing requirements between a proposed commercial driveway and an intersection either adjacent or on the opposite side of the street may be set on a case-by-case basis but in no instance shall be less than the distances listed below. The following measurements are from the near edge of the proposed driveway, measured at the throat perpendicular to the street, to the near lane edge of the intersecting street or pavement edge for uncurbed sections.

MINIMUM COMMERCIAL DRIVEWAY SPACING FROM STREET INTERSECTIONS ^{1,2}		
Location of Driveway	Minimum Spacing for a Full Movement Driveway	Minimum Spacing for a Channelized Driveway Restricting Left Turns
Along Major Thoroughfare, intersecting street is a Major Thoroughfare	250 feet	125 feet
Along Major Thoroughfare, intersecting street is not a Major Thoroughfare	200 feet	125 feet
Along other Roads	75 feet	50 feet

- 1 Major Thoroughfares include: Grand River Avenue, Latson Road, Chilson Road, Brighton Road and any other County Primary Roads, State trunklines or roads with a right-of-way of at least eight-six (86) feet.
- 2 For sites with insufficient street frontage to meet the above criterion, the Planning Commission may require construction of the driveway along a side street, a shared driveway with an adjacent property, construction of a driveway along the property line farthest from the intersection or require a service road.

- (b) Minimum spacing between two commercial driveways shall be determined based upon posted speed limits along the parcel frontage. The minimum spacing indicated below are measured from centerline to centerline.

Posted Speed Limit (MPH)	Minimum Driveway Spacing (In Feet)
25	125
30	155
35	185
40	225
45	300
50 and higher	330

- (c) To reduce left-turn conflicts, new commercial driveways shall be aligned with those across the roadway where possible. If alignment is not possible, driveways shall be offset a minimum of two- hundred-fifty (250) feet along arterial streets and one-hundred-fifty (150) feet along collector and local streets from those on the opposite side of the roadway. These standards may be reduced by the Planning Commission if approved by the Michigan Department of Transportation or the Livingston County Road Commission, as appropriate. Longer offsets may be required depending on the expected inbound left-turn volumes of the driveways.
- (d) In the case of expansion, alteration or redesign of an existing development where it can be demonstrated that pre-existing conditions prohibit adherence to the minimum commercial driveway spacing standards, the Planning Commission may modify the driveway spacing requirements. Such modifications shall be of the minimum amount necessary, but in no case shall spacing of a full-access driveway be less than sixty (60) feet, measured centerline to centerline.

15.06.03. Number of Commercial Driveways

- (a) The number of commercial driveways serving a property shall be the minimum number necessary to provide reasonable access and access for emergency vehicles, while preserving traffic operations and safety along the public roadway.
- (b) Access shall be provided for each separately owned parcel. This access may be an individual driveway, shared driveway or via a service drive. Additional driveways may be permitted for property only as follows:
- (1) One (1) additional driveway may be allowed for properties with a continuous frontage of over three-hundred (300) feet, and one (1) additional driveway for each additional three-hundred (300) feet of frontage, if the Planning Commission determines there are no other reasonable access opportunities.
 - (2) The Planning Commission determines additional access is justified without compromising traffic operations along the public street, based upon a traffic impact study as described in Article 18.
 - (3) Two one-way driveways may be permitted where the frontage is at least one-hundred-twenty-five (125) feet.

15.06.04 Commercial Driveway Design

- (a) All commercial driveways shall be designed according to the standards of the Livingston County Road Commission or Michigan Department of Transportation, as appropriate.
- (b) For high traffic generators, or for commercial driveways along roadways experiencing or expected to experience congestion, the Planning Commission may require two egress lanes.
- (c) Where a boulevard entrance is desired by the applicant or Planning Commission, a fully curbed island shall separate the ingress and egress lanes. The radii forming the edges on this island shall be designed to accommodate the largest vehicle that will normally use the driveway. The minimum area of the island shall be one-hundred-eight (180) square feet. The Planning Commission may require landscaping on the section outside the public right-of-way. Such landscaping shall be tolerant of roadway conditions.

15.06.05 Shared Driveways, Frontage Roads and Service Drives

- (a) Warrants: Where noted above, or where the Planning Commission determines that reducing the number of access points may have a beneficial impact on traffic operations and safety while preserving the property owner's right to reasonable access, a shared commercial driveway, frontage road or rear service drive connecting two or more properties or uses may be required. In particular, service drives may be required where recommended in the Grand River Avenue Area Corridor Plan or other sub-area master plans; near existing traffic signals or near locations having potential for future signalization; along major arterial roadways with high traffic volumes; and along segments with a relatively high number of accidents or limited sight distance.
- (b) Shared commercial driveways and service roads shall be within an access easement recorded with the Livingston County Register of Deeds. A draft of the access easement shall be provided to the Township for review prior to filing.

The number of accesses along a service road shall be according to the standards of this Section. The Planning Commission may allow temporary access where the service road is not completed if a performance bond or other financial guarantee is provided which assures elimination of the temporary access upon completion of the service road. Land use permits shall not be issued until such financial guarantee has been submitted to the Township.

- (c) Service Road Design Standards (see Figure 15.06.02).
 - (1) Location: Service roads shall generally be parallel or perpendicular to the front property line and may be located either in front of, adjacent to, or behind, principal buildings. In considering the most appropriate alignment for a service road, the Planning Commission shall consider the setbacks of existing buildings and anticipated traffic flow for the site and the Grand River Avenue Area Corridor Plan.
 - (2) Access Easement: The service road shall be within an access easement permitting traffic circulation between properties. This easement shall be

sixty-six (66) feet wide, except an access easement parallel to a public street right-of-way may be forty (40) feet wide, if approved by the Planning Commission. The required width shall remain free and clear of obstructions, unless otherwise approved by the Planning Commission.

- (3) Construction and Materials: Service roads shall have a base, pavement and curb with gutter in accordance Livingston County Road Commission standards for public streets, except the width of the service road shall have a minimum pavement width of twenty-six (26) feet.
- (4) Parking: The service road is intended to be used exclusively for circulation, not as a parking maneuvering aisle. The Planning Commission may require the posting of "no parking" signs along the service road. In reviewing the site plan, the Planning Commission may permit temporary parking in the easement area where a continuous service road is not yet available, provided that the layout allows removal of the parking in the future to allow extension of the service road.
- (5) Access to Service Road: The Planning Commission shall approve the location of all accesses to the service road, based on the driveway spacing standards of this Section, provided the Planning Commission may allow additional driveways if approved by the Livingston County Road Commission or the Michigan Department of Transportation, and consistent with purpose of this Article.
- (6) Temporary Access: The Planning Commission may approve temporary accesses where a continuous service road is not yet available and a performance bond or escrow is created to assure elimination of temporary access when the service road is continued. Land use permits shall not be issued until monies have been deposited with Genoa Township.
- (7) Elevation: The site plan shall indicate the proposed elevation of the service road at the property line and the Township shall maintain a record of all service road elevations so that their grades can be coordinated.
- (8) Landscaping: The area between a service road and the public street right-of-way shall be landscaped greenbelt as specified in Section 12.02.
- (9) Maintenance: Each property owner shall be responsible for maintenance of the easement and service drive.

Figure 15.06.02 Service Drive/Frontage Road Design Standards

