



## BACKUS TOWNSHIP ZONING ORDINANCE

# ARTICLE XIV ACCESS MANAGEMENT AND PRIVATE ROAD STANDARDS

### Sec. 14.01 Statement of Purpose

The intent of this Section is to establish standards for access design, driveway spacing and the number of driveways for application during the site plan review process. The procedures and standards of this Section 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 intersections; encourage shared access between sites; protect the substantial public investment in the street system; and to ensure reasonable access to properties, though not always the most direct access.

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 Roscommon 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 Roscommon County must also meet the permit requirements of the County. Where any conflicts arise, the more stringent standard shall apply.

Backus 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. 14.02 Definitions

- A. **Commercial Driveway:** For the purposes of this Section, a commercial driveway is defined as any vehicular access except those serving one (1) or two (2) dwelling units, or serving just an essential public service structure.
- B. **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. A 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.
- C. **Shared residential driveway (private):** A residential driveway that provides vehicular access to two (2) to four (4) single family dwelling units.



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### **Sec. 14.03 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:

- A. 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.
- B. The driveway shall be constructed of materials suitable to accommodate emergency vehicles.
- C. There is a recorded shared access agreement minimum 33 feet wide. This easement may be included in the calculation for minimum lot area and width.
- D. If the driveway accesses a public right-of-way under the jurisdiction of Roscommon County, then all permit requirements of the County must be met, in addition to the above.

### **Sec. 14.04 Private Road Standards.**

- A. The following shall be submitted to the Township, either separately or in conjunction with a site plan according to Article 11.
  - 1. Applicable site plan information in accordance with Section 11.04.
  - 2. Parcel number and name of owner for all properties having legal interest in the private road.
  - 3. 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.
  - 4. A copy of the private road agreement that includes the terms of responsibility, maintenance provisions and any restriction on use of the road. This document must specifically state that Backus Township and the Roscommon Road Commission is not responsible for maintenance of the private road.
  - 5. 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.
  - 6. 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;



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- B. **Design Standards:** Private roads which the Township has determined do not need to comply with all of the standards of the Roscommon County Road Commission as noted above shall be constructed to the following standards:
1. **Access easement width:** The site plan shall provide an easement or easements sixty-six (66) feet in width. The Zoning Board may reduce the required width to not less than fifty (50) feet when all of the following criteria are met:
    - a. the width is determined to be adequate for necessary pavement and utilities;
    - b. adequate clear sight distance can be maintained;
    - c. there is no desire or reasonable expectation that the road, as shown could become a public street or potentially extended in the future;
    - d. is not expected to accommodate over three hundred (300) vehicle trips per average weekday based on accepted traffic generation figures.
    - e. 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.
  2. **Road design:** All private roads shall meet the public street base, pavement width, surface, slope and drainage system standards of the Roscommon County Road Commission. The design of private roads shall be approved by the Township Engineer. A private road serving no more than eight (8) lots or dwelling units in a single family residential district may be constructed of eight (8) inches of compacted MDOT 23AA gravel instead of asphalt or concrete.
  3. **Reduced width for private roads:** The minimum pavement width may be reduced to not less than twenty-two (22) feet wide where the Zoning Board and Township Board determine the reduced width will preserve significant natural features.
  4. **Maximum length, cul-de-sac turnarounds:** Maximum length of a private road providing access to more than two (2) lots, buildings or dwellings units 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 forty-five (45) foot radius, fifty-five (55) foot radius if a center landscaped island is included, a hammerhead "T" turn or a continuous loop layout. A larger turnaround may be required for commercial and industrial private roads. These standards may be adjusted by the Zoning Board, 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 is required.
  5. **Grade:** Grades shall not exceed ten-percent (10%), with a maximum grade of two-percent (2%) for a minimum distance of thirty (30) feet from its intersection with a public right-of-way or another private road.



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6. **Compliance with AASHTO standards:** Where no specific standard is 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," provided the minimum horizontal curve shall be two-hundred-thirty (230) feet in radius. The Zoning Board may reduce this radius to not less than 150 feet if the design would accommodate expected vehicle speeds and truck/bus traffic, as determined by the Township Engineer and Planner, in cases where rolling terrain or a significant number of mature trees would be preserved, or where the width of the parcel would not accommodate wider radii.
7. **Intersection design standards:** Private roads which intersect with existing or proposed private roads or public street rights-of-way should intersect at a ninety degree (90°) angle. Where constrained by environmental features, the Township Engineer may allow a reduced angle of intersection but in no case shall the angle be less than seventy degrees (70°).
8. **Intersection offsets from public streets:** Proposed private roads or entrances to a development shall align directly across from, or be offset at least two-hundred-fifty (250) feet from, public streets or private road intersections on the opposite side of the street, measured centerline to centerline. This standard may be reduced if approved by the Roscommon County Road Commission.
9. **Minimum offsets along private roads:** Private roads and driveways (excluding driveways serving one or two dwelling units) within a development shall align directly across from other private roads or driveways or be offset at least one-hundred-fifty (150) feet measured centerline to centerline.
10. **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.
11. **Street names:** Street names may be required by the Zoning Board to assist public emergency services.
12. **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 Zoning Board 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.



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### **Sec. 14.05 Existing Nonconforming Private Roads And Access Easements.**

- A. The Township recognizes there exist private roads and access easements which were lawful prior to the adoption of this Section 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 Land Use 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 Section, 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 Section.

- 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 Section was adopted.
1. The lot consists of a "condominium unit" for which a master deed had been recorded with the Roscommon 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 Roscommon County Register of Deeds.
  3. The lot had been assigned a unique parcel number by the Roscommon County Register of Deeds and was individually assessed and taxed on that basis.

### **Sec. 14.06 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 Roscommon County Road Commission and upon written certification from the adjacent property owner agreeing to such encroachment.



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**Sec. 14.07 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.

<b>Minimum Commercial Driveway Spacing From Street Intersections</b>		
<b>Location of Driveway</b>	<b>Minimum Spacing for a Full Movement Driveway</b>	<b>Minimum Spacing for a Channelized Driveway Restricting Left Turns</b>
Along Major Thoroughfare*, intersecting street is not a Major Thoroughfare	200 feet	125 feet
Along other Roads	75 feet	50 feet

\* Major Thoroughfare is M-55

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

<b>Posted Speed Limit</b>	<b>Minimum Driveway Spacing (in feet)</b>
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 Zoning Board if approved by the Michigan Department of Transportation or the Roscommon 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



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demonstrated that pre-existing conditions prohibit adherence to the minimum commercial driveway spacing standards, the Zoning Board may modify the driveway spacing requirements. Such modifications shall be of the minimum amount necessary, but in no case shall spacing between two full-access driveways be less than sixty (60) feet, measured centerline to centerline.

### **Sec. 14.08 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 Zoning Board determines there are no other reasonable access opportunities.
  - 2. The Zoning Board determines additional access is justified without compromising traffic operations along the public street, based upon a traffic impact study as described in Section 13.05.
  - 3. Two one-way driveways may be permitted where the frontage is at least one-hundred-twenty-five (125) feet.

### **Sec. 14.09 Shared Access.**

The Zoning Board or Township Board may require shared access and off-street site connections between properties when it is determined that reducing and controlling the number and location of access points may have a beneficial impact on traffic operations and safety while preserving the property owners right to reasonable access. The following methods shall be utilized to accomplish this objective, as applicable to the project and provided they continue to promote safe vehicular circulation. In all cases, an access easement recorded with the Roscommon Register of Deeds must be demonstrated. The terms of the easement must stipulate the agreement between all property owners involved and establish maintenance responsibilities.

- A. Shared driveways may be utilized between abutting sites provided it is located at or near the shared property line and is adequately designed to handle the anticipated amount of traffic for both sites.
- B. When possible, parking lots should be connected between sites to provide shared access between businesses which limit the need for vehicles to enter onto the main roadway.



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- C. A service drive should be required along the rear of adjoining commercial sites in order to provide organized access to these sites without negatively contributing to the traffic conditions on the adjacent road. The drive should be designed to meet typical road standards and to safely accommodate two-way traffic and turning movements.