**White River Township**

**Land Division Guidance**

The Township Board or its designee shall not approve the division of land or alteration of lot lines unless it determines that the proposed division or alteration complies with the requirements of this Ordinance.

Key Requirements:Details are underlined in the full ordinance paragraphs below to support the key requirements of the ordinance.

1. Lot area and dimensions – As specified in the zoning district, generally 1 acre minimum. (3.01A) Lot areas shall not include land located within a public road right-of-way or a private street easement for the purposes of computing minimum lot size. (3.01D)
2. Frontage - As specified in the zoning district, generally 150’. Minimum lot width shall be maintained across the entire depth of the lot. (3.06A) Minimum lot width shall exclude all street or road right-of-way or easements. (3.06D)
3. Lot depth-to-width ratio – No lot shall be created that exceeds a depth/width ratio of four (4). (3.01B)
4. Access – Located on Public Road or Legal Private Road (3.04, 3.06D)
5. Where the lot to be divided has existing structures, the resultant split shall not create an unlawful nonconformity in terms of lot coverage, setbacks or access.
6. Cul-de-sac lots and land divisions involving 4 or more lots require Planning Commission Site Plan approval.

**SECTION 3.01 A. REQUIRED AREA, SPACE, AND USE CONDITIONS AND EXCEPTIONS**

1. No lot or lots in common ownership and no yard, dwelling, parking area, or other space shall be so created, divided, altered, or reduced as to make the area, size, or dimension less than the minimum required under this Ordinance. If already less than the minimum required under this Ordinance, the area, size, or dimension shall not be further divided or reduced. The creation of a condominium unit, every new parcel or lot and all land divisions, lot splits or property boundary reconfigurations of platted lots and unplatted parcels of land shall fully comply with all applicable requirements of the White River Township Zoning Ordinance, the Michigan Land Division Act, the Township Land Division Ordinance, and any other applicable Township ordinance.
2. No lot or parcel shall be created which is greater than four (4) times deeper in length than its width at the street frontage. The measurement of the maximum lot depth-to-width requirement shall be made from the point where the lot has frontage on a street to the portion of the lot which is located farthest away from the street (as measured within the lot). The Planning Commission may allow the creation of a lot or parcel which does not comply with the lot depth-to-width maximum requirements of this section if a special land use is approved. In determining whether to grant this approval, the Planning Commission shall first find that the greater depth is necessitated by conditions of the land in question, such as topography, road access, soils, wetlands, or floodplain, and that creation or use of the lot will not conflict with other Township ordinances and regulations or nearby land uses.
3. The division of a lot into two (2) or more lots or parcels (as well as the alteration of lot lines) shall require the approval of the Township Board or such other body or Township official or body as is designated by the Township Board. No platted land shall be partitioned, split, or divided, nor shall any platted lot boundary line be altered, without prior approval by the Township Board. The Township Board or its designee shall not approve the division of land or alteration of lot lines unless it determines that the proposed division or alteration complies with the requirements of this Ordinance, the Township Land Division Ordinance, the Michigan Land Division Act and all other applicable Township ordinances. The review for local compliance shall include, but not be limited to, the following:
	1. lot area and dimensions
	2. frontage
	3. lot depth-to-width ratio
	4. access
	5. where the lot to be divided has existing structures, the resultant split shall not create an unlawful nonconformity in terms of lot coverage, setbacks or access.
4. Lot areas shall not include land located within a public road right-of-way, a private street easement, or any street right-of-way for the purposes of computing minimum lot size, setbacks, width, or densities. Lots with land submerged for more than six (6) months during any twelve (12) month period shall not be permitted to include such lands in the calculation of required lot size, area, dimension, or density.
5. Lots with frontage on a lake or river are treated differently for setback and yard purposes. Please see the applicable regulations contained in this Ordinance.

**SECTION 3.04 STREET ACCESS AND FRONTAGE**

Every lot shall have frontage on an improved public street or approved lawful private street equal to or greater than the minimum lot width requirement of the District within which the lot is located.

**SECTION 3.06 MINIMUM LOT WIDTH; FRONTAGE**

1. The minimum lot width required in each District shall be maintained across the entire length/depth of the lot or parcel, except as otherwise provided for cul-de sacs in subsection B, below.
2. All lots shall have frontage on an improved public street or on a lawful private street for a distance equal to or greater than the minimum lot width specified for the District in which the lot or parcel of land is located. Lots abutting a cul-de-sac shall be permitted to have less street or road frontage (but in no case less than forty (40) feet of such frontage), provided, however, that a special land use is obtained and further provided that the lot width at the front setback line (or the rear setback line in the case of waterfront lots), and beyond shall satisfy the minimum lot width requirement of the District in which the lot or parcel of land is located.
3. For all lots or parcels abutting or having frontage on a lake, river, or stream, each lot or parcel shall have frontage on the lake, river, or stream, as measured at the ordinary high-water mark, equal to or greater than the minimum lot width requirement of the District within which the property is located.
4. For the purposes of this Section, the measurement of lot width and frontage shall exclude all street or road rights-of-way or easements.

**SECTION 15.02 SITE PLANS REVIEWED**

In accordance with the provisions of this Chapter, a site plan review and approval by the Planning Commission shall be required prior to the establishment of a new use or the erection or extension of a building in the Districts and conditions cited below:

1. Staff approval: The following uses shall be subject to approval by the Zoning Administrator:
	1. One family detached dwellings (except as may be provided in a site condominium development).
	2. Agricultural uses.
	3. A change of use that does not result in the change in the building footprint.
	4. Family day care and foster care facilities.
	5. Accessory buildings and uses of the above uses.
2. Planning Commission approval: Site plan review and approval by the Planning Commission is required for the following:
	1. Any commercial, business, office, or industrial use, building, or structure.
	2. Special Land Uses in all Districts.
	3. Site and other condominiums in any District.
	4. Developments or land divisions involving or creating four (4) or more lots, units, or parcels
	5. Planned Unit Developments.
	6. Private streets.
	7. Grading, excavation, filling, soil removal, creation of ponds (or lakes) or tree clearing of over one (1) acre. 8. 9.
	8. Any other use, item, activity, or structure wherein this Ordinance requires site plan review.
	9. Changes to or expansions of any of the above.