

ARTICLE 26.00

M-43 CORRIDOR OVERLAY ZONE

Section 26.01 Findings

A primary function of the M-43 state highway is to move traffic through the Township and to points beyond. As the primary east-west arterial road for the Township, a high percentage of the traffic has its origin and/or destination in the Township. Thus, M-43 has a secondary function to provide access to adjacent and nearby properties.

Continued development along the M-43 corridor will increase traffic volumes and introduce additional conflict points which could erode traffic operations and increase the potential for crashes. Numerous published studies document the relationship between the design of road systems and traffic operations and safety. Those studies and experiences of other communities demonstrate that regulation of the number and placement of access points (driveways and side street intersections) can preserve the capacity of a road and reduce the potential for crashes. The standards herein are based on recommendations published by various national and Michigan road agencies. The recommendations were refined during preparation of the M-43/M-52 Access Management Plan.

Williamstown Township finds that special access standards are needed along the M-43 corridor based upon the following findings:

- (a) The combination of roadway design, traffic speeds, current and projected traffic volumes, traffic crashes and other characteristics necessitate special access standards.
- (b) Studies by transportation organizations in Michigan and nationally have found a direct correlation between the number of access points and the number of crashes.
- (c) The standards are based upon considerable research and recommendations by the Michigan Department of Transportation (MDOT).
- (d) Preservation of roadway capacity through access management protects the substantial public investment in the roadway system and helps avoid the need for costly reconstruction, which disrupts business operations and traffic flow.

Section 26.02 Purpose

The MDOT has jurisdiction within the highway's right-of-way, while the Township has authority for land use and site plan decisions within individual parcels along the highway. These access management standards were created to help ensure a collaborative process between the MDOT and the Township on access decisions along M-43 to implement the recommendations of the M-43/M-52 Access Management Plan.

Among the specific purposes of this Corridor Overlay Zoning District are to:

- (a) Preserve the capacity of M-43 by limiting and controlling the number, location and design of access points and requiring alternate means of access through shared driveways, service drives, and access off of cross streets in certain locations.
- (b) Encourage efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.
- (c) Improve safety and reduce the potential for crashes.
- (d) Avoid the proliferation of unnecessary curb cuts and driveways, and eliminate or reconfigure existing access points that do not conform to the standards herein, when the opportunities arise.
- (e) Implement the recommendations of the M-43/M-52 Access Management Plan.
- (f) Require coordinated access among adjacent lands where possible.

- (g) Address situations where existing development within the corridor area does not conform to the standards of this overlay district.
- (h) Identify additional submittal information and review procedures required for parcels that front along M-43.
- (i) Avoid the need for unnecessary and costly road reconstruction, which disrupts business operations and traffic flow.
- (j) Ensure efficient access by emergency vehicles.
- (k) Improve safety for pedestrians and other non-motorized travelers by reducing the number of conflict points at access crossings.
- (l) Establish standards that treat all properties in a fair and uniform manner.
- (m) Provide landowners with reasonable access, even though the access may be restricted to a shared driveway or service drive or via a side street, or the number and location of access points may not be the arrangement most desired by the landowner or applicant.
- (n) Promote a coordinated development review process for the Township with the Michigan Department of Transportation (MDOT) and the Ingham County Department of Transportation and Roads (ICDTR).
- (o) Require proposed parcels to be accessible prior to approval of land division, as required by the Land Division Act.

Section 26.03 Definitions

The following words, as used in this Article, shall have the meaning set forth in this Section.

Access: A means to provide vehicular or pedestrian entrance to or exit from a lot or parcel.

Access Management: Controlling vehicular access so as to balance the need to provide reasonable access to property with the need to maintain safety, capacity and speed on the adjoining road.

Access Point: A means of obtaining access to a lot or parcel. An access point may be an individual driveway, a shared access with an adjacent use, or access via service drive or frontage road.

Corridor Plan: The M-43/M-52 Access Management Plan, which was completed in the spring of 2003, and which contains the analysis, findings, and recommendations that serve as the basis of the regulations in this Article 26.00.

Driveway: An Access Point designed to provide traffic movement directly from a road or highway to adjoining property. A **Shared Driveway** is one that serves two (2) or more contiguous properties.

Nonconforming Access: Characteristics of access to a property that existed prior to the effective date of this Article 26.00 and that do not conform to the requirements of this Article.

Peak Hour: The hour of highest volume of traffic entering and exiting a site in the morning (a.m.) or afternoon (p.m.).

Reasonable Access: The minimum number of direct and indirect access points necessary to provide safe ingress and egress between a parcel and a public road, consistent with the purpose of this Article 26.00, Public Act 200 of 1969, as amended, and other applicable State laws. Reasonable access does not necessarily mean direct access.

Road: A way for vehicular traffic, including the entire area within the right-of-way, whether designated as a "street," "highway," "thoroughfare," "avenue," "boulevard," "lane," "cul-de-sac," or by some other term.

Road, Arterial: A road serving large volumes of traffic, traveling 45 miles per hour or faster, typically involving a high proportion of long distance trips and through traffic, but which may provide access to abutting properties.

Road, Collector: A road that provides access to abutting properties and which connects development roads, collector roads, and local roads to arterial roads.

Road, Local: A road that is intended to provide access to abutting properties, accommodate lower traffic volumes, and provide mobility within a neighborhood.

Service Drive: A private drive that is located on private property and is intended to provide traffic movement between adjoining lots or parcels. Service drives are generally parallel to the front property line and may be located in front of, adjacent to, or behind the principal buildings. A **Frontage Road** is a Service Drive that located at the front of a lot or parcel.

Sight Distance: The distance that a driver of a stopped vehicle can see along a road when deciding whether to enter onto or cross the road. Safe Sight Distance is the minimum sight distance necessary to perceive and react to an oncoming vehicle, and to turn onto to the road and accelerate to the posted speed before being reached by an oncoming vehicle.

Section 26.04 *Applicability*

The standards in this Article shall apply to all lots with frontage along M-43 and along intersecting roads within three hundred fifty (350) feet of the M-43 right-of-way. The standards herein apply in addition to, and simultaneously with, the other applicable regulations of the Zoning Ordinance. Permitted and special land uses on land in the Overlay Zone shall be subject to regulations in the applicable zoning district designated on the Zoning Map, and shall meet the following additional provisions:

- (a) The number of access points shall be the fewest needed to allow motorists reasonable access to each site.
- (b) Spacing between intersections and driveways shall meet the M-43 access management standards and MDOT's guidelines.
- (c) Provision shall be made to share access with adjacent uses, either now or in the future. Written shared access and maintenance agreements shall be created, which shall state that Township approval shall be required to modify the agreements, and which shall be recorded with the County.
- (d) No building or structure shall be erected or enlarged unless the M-43 access management regulations are met and maintained.
- (e) No subdivision or site condominium project shall be approved unless in compliance with the access spacing standards set forth herein. Compliance with this Article 26.00 shall be required to demonstrate that a lot is accessible as required under the Land Division Act (Public Act 288 of 1967, as amended).
- (f) Any change in use that requires site plan review per Section 29.02 shall demonstrate compliance with the standards herein. Site plan information shall be submitted to the MDOT to determine if a new access permit is required.
- (g) For building or parking lot expansions or changes in use, the Planning Commission shall determine the extent of upgrades to bring the site into compliance with the access standards. In making its decision, the Planning Commission shall consider the existing and projected traffic conditions, sight distance limitations, site topography and natural features, impacts on internal site circulation, and recommendations from the MDOT. Required improvements may include removal, rearrangement or redesign of site access points.
- (h) The standards herein were developed collaboratively between the Township, MDOT and ICRC. Where conflict occurs, the more restrictive standards shall apply.

Section 26.05 *Additional Site Plan Information*

In addition to the information required for site plan review pursuant to Section 29.02, the following information shall be provided with any application for site plan or special land use review.

- (a) Existing access points on the subject site and within five hundred (500) feet on both sides of M-43, and along both sides of any intersecting roads, shall be shown on the site plan, aerial photographs, plat or survey.
- (b) The applicant shall submit evidence indicating that applicable Township, ICDTR, and MDOT sight distance requirements will be met.

- (c) Dimensions between proposed and existing access points.
- (d) Where shared access is proposed or required, a shared access and maintenance agreement shall be submitted for approval by the Township. Once approved, this agreement shall be recorded with the Ingham County Register of Deeds.
- (e) Dimensions shall be provided for driveways, including width, radii of driveway returns and other points of curvature, throat length, and length of any deceleration lanes or tapers. Driveway pavement markings and signs shall also be shown on the plan.
- (f) The site plan shall illustrate the route and dimensioned turning movements of expected emergency vehicle, truck, tanker, delivery vehicle, waste removal vehicle, and similar vehicle traffic. The plan should confirm that routing the vehicles will not disrupt traffic flow at the access points or impede maneuvering or parking within the site.
- (g) **Traffic impact study.** A traffic impact study is a study which assesses the effects that a particular development's traffic will have on the surrounding transportation network. A traffic impact study will vary in range and complexity depending on the type and size of the proposed development. Such a study will determine the potential need for transportation improvements due to the changes in projected traffic and traffic movements. Submittal of a traffic impact study may be required for any use that would be expected to generate 100 or more vehicle trips during any peak hour, or 1,000 or more vehicle trips daily, or where modifications from the generally applicable access spacing standards are proposed. The traffic impact study shall be prepared by an individual who is a member of the Institute of Transportation Engineers with demonstrated experience in production of such studies. The methodology and analysis of the study shall be in accordance with accepted principles as described in the handbook "Evaluating Traffic Impact Studies, a Recommended Practice for Michigan," developed by the MDOT and other Michigan transportation agencies. The Township or MDOT may require calculations or micro-scale modeling to illustrate future operations at the access points and nearby intersections and to evaluate various access alternatives.
- (h) **Review coordination.** The applicant shall provide correspondence to demonstrate that the preliminary site plan has been submitted to the MDOT or ICDTR, as applicable, for their review and comment. Any correspondence from the MDOT on the general access design and geometrics shall be considered during the Township's review processes. The Township may request attendance of representatives of the MDOT or ICDTR at coordination meetings. Once a plan or proposal has been approved by the Township, the applicant shall request an access permit from MDOT or the ICDTR. The approval of a plan or proposal does not negate the responsibility of an applicant to subsequently secure access permits from the MDOT or ICDTR.

Section 26.06 Access Management Standards

Access points (not including driveways that serve a single family home, two-family home, or essential service) shall comply with the following standards. The spacing standards specified in this Section apply to existing and proposed roads and driveways, with the exception of single family residential driveways. If there is a change in use from single family residential to another use, the existing access point shall be brought into compliance with the requirements of this Section, where feasible.

A. One Access Point Permitted

Each lot shall be permitted one access point. This access point may be an individual driveway, a shared access with an adjacent use, or access via a service drive or frontage road subject to the standards that follow. An individual driveway may be permitted where the standards of this Article are met, provided that such driveway is located to facilitate shared access by adjacent parcels.

B. Shared Access Easement

The location of the access point shall comply with the standards of this section and shall provide the opportunity for shared access with adjoining lots, where applicable. Each lot developed under this ordinance shall be required to grant shared access easements to adjoining lots to allow for future shared access. Where a proposed parking lot is located adjacent to the parking lot of a similar use, there shall be a vehicular connection where feasible.

C. New Driveway Permit

A new driveway may be permitted by the Planning Commission upon finding the conditions (1) or (2), below exist. The additional driveway may be required to be along a side street or a shared access with an adjacent site.

1. The site has adequate frontage to meet the spacing standards between driveways specified herein, and the new driveway will not prevent adjacent lands from complying with the access spacing standards when such lands develop or redevelop in the future, or
2. A traffic impact study, prepared in accordance with accepted practices as described in this ordinance, demonstrates the site will generate over 300 trips in a peak hour or 3,000 trips daily, or 400 and 4,000 respectively if the site has access to a traffic signal, and the traffic study demonstrates the new driveway will provide improved traffic conditions (e.g., less congestion, safer ingress/egress) and will not negatively impact through traffic flow.

D. Driveway Spacing

Driveways shall be separated from other driveways along the same side of the public street the distances specified in Table 1 (measured from centerline to centerline as shown in the figure), based on the posted speed limit. Required spacing along M-43 is greater than on other roads, consistent with MDOT access guidelines, because M-43 is intended to primarily accommodate through traffic, rather than provide access to properties. For the purposes of sub-sections D, F, and G, driveways that serve a single or two-family residence shall be disregarded.

**Table 1
Minimum Spacing Between Driveways
Located on the Same Side of M-43**

Posted Speed (mph)	Driveway Spacing (in feet) *
25	130
30	185
35	245
40	300
45	350
50+	455

*Unless greater spacing is required by MDOT or ICDTR or is required to meet other standards herein.

E. Service to Adjoining Sites

Where feasible, access points shall be located to ensure the adjacent site(s) can also meet the access location standards.

F. Alignment of Driveways on Opposite Sides of Road

Driveways shall either be aligned directly across from driveways on the opposite side of the street or offset the distance indicated in Table 2, measured centerline to centerline. The Planning Commission may reduce the offset to not less than 150 feet where the offsets are aligned to not create left-turn conflicts.

**Table 2
Spacing Between Driveways on
Opposite Sides of M- 43**

Posted Speed (mph)	Driveway Spacing (in feet) *
25	255
30	325
35	425
40	525
45	630
50 +	750

G. Driveway Spacing from Intersections

Spacing of driveways from intersections shall comply with the distances specified in Table 3 (measured from pavement edge to pavement edge as shown in the figure).

**Table 3
Minimum Driveway Spacing from Intersections ***

Location of Access Point	Type of Intersecting Road	Minimum Spacing for a Full Movement Driveway**	Minimum Spacing for a Driveway Restricting Left-turns
Along M-43	Another arterial	300	125
	Collector or local	200	125
Along a county road	M-43	Ingham County Department of Transportation and Roads	

* Unless greater spacing is required by MDOT or ICDTR, or is required to meet other standards herein.

** Greater spacing may be required based upon the posted speed of the road and the spacing distances required by Table 1.

H. Service Drives

Where direct access consistent with the previous standards cannot be achieved, access should be via a shared driveway or service drive, and/or a side street. The Planning Commission may require a front or rear service drive where such a facility can provide access to signalized locations, or where such a facility can minimize the number of driveways, and provide safer ingress and egress.

I. Shared Access with Public or Private Roads

Where a new public or private road is proposed to intersect with M-43, the road shall be designed to facilitate shared access with adjacent parcels. Where a private road is proposed to adjoin a side lot line, an access easement shall be granted to allow the adjoining parcel to have driveway access to the road. The Township may require construction of stub roads to allow future shared and lateral cross access to adjoining lots.

J. Service Drive Standards

Where the Planning Commission determines that reducing the number of driveways may have a beneficial impact on traffic operations and safety while preserving the property owner's right to reasonable access, a shared driveway, or front or rear service drive connecting two or more lots or uses may be required. In particular, these facilities may be required where recommended in the M-43/M-52 Access Management Plan or Township Master Plan; near existing traffic signals or near locations having potential for future signalization; along major arterial roadways with high traffic volumes; and along segments having high accident rates; and where there is limited sight distance. Service drives shall be constructed in accordance with the following standards:

1. Service drives shall generally be parallel with 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 drive, the Planning Commission shall consider the setbacks of existing buildings, anticipated traffic flow for the site, and the M-43 Corridor Plan.
2. The service drive shall be within an access easement permitting traffic circulation between properties. This easement shall be at least twenty-four (24) feet wide and recorded with the Ingham County Register of Deeds. The required width shall remain free and clear of obstructions, unless otherwise approved by the Planning Commission. Each property owner shall be responsible for maintenance of the easement and service drive on the owner's property.
3. Service drives shall be set back as far as reasonably possible from the intersection of the access driveway with the public street (see figure). A minimum of twenty (20) feet shall be maintained between the public street right-of-way and the pavement of the frontage road. A minimum of sixty (60) feet of throat depth shall be provided at the access point, measured between the public street right-of-way and the pavement of the parallel section of the service road.
4. Service drives shall have a minimum pavement width of twenty (20) feet and shall be constructed with the curb and gutter in accordance with public street standards. The Planning Commission may modify these standards based upon site conditions, anticipated traffic volumes, and anticipated types of traffic.
5. Service drives are intended to be used exclusively for circulation, not as a parking maneuvering aisles. The Planning Commission may require the posting of "no parking" signs along the service drive. However, one-way or two-way service drives constructed with additional width for parallel parking may be allowed if it can be demonstrated through a traffic impact study that parking along the service drive will not significantly affect the capacity, safety or operation of the service drive.

- 6. The site plan shall indicate the proposed elevation of the service drive at the property line and the Township shall maintain a record of all service drive elevations so that grades between adjoining sites can be coordinated.
- 7. The alignment of the service drive can be refined to meet the needs of the site and anticipated traffic conditions, provided the resulting terminus allows the drive to be extended through the adjacent site(s). This may require use of aerial photographs, property line maps, topographic information and other supporting documentation
- 8. Where it is not possible to develop a separate service drive (for example, on shallow sites or on redevelopment sites), the Planning Commission may require a drive connecting parking lots.

K. Temporary Direct Access

Where the Planning Commission determines that shared access is needed, but it is not yet available, temporary direct access may be permitted, provided the plan is designed to accommodate a future service drive, and a written agreement is submitted that the temporary access will be removed by the applicant when the alternative access becomes available. This may require posting of a financial performance guarantee.

L. Safe Sight Distance

Driveways shall be located to provide safe sight distance, as determined by the applicable road agency.

M. Interference with Municipal Facilities

No driveway shall interfere with municipal facilities such as street lights or traffic signal poles, signs, fire hydrants, crosswalks, bus loading zones, utility poles, fire alarm supports, drainage structures, or other necessary street structures, unless the applicant makes provisions for relocation of such facilities.

N. Timing of Improvements

Road or intersection control or driveway design improvements shall be made to improve overall traffic operations prior to the project completion or occupancy of the first building.

O. Subdivision and Condominium Roads

Roads to serve new subdivision or condominiums shall comply with the driveway spacing requirements in the previous sub-sections D through G.

Section 26.07 Nonmotorized Pathways

The Planning Commission may require the construction of a nonmotorized pathway along M-43. All nonmotorized pathways shall be constructed in accordance with the specifications of the Township and the MDOT. On each site there shall be a pedestrian connection between the nonmotorized pathway and the entrance to the building, with safe delineation of pedestrian and vehicular circulation areas.

Section 26.08 -- Application to Existing Sites and Modification of Standards

A. Modifications by Planning Commission

Given the variation in physical conditions along the corridor, modifications to the requirements herein may be permitted by the Planning Commission as part of the site plan review process, upon a finding that the following conditions apply:

- 1. Practical difficulties exist on the site that make compliance unreasonable (because of, for example sight distance limitations, topography, wetlands, drains or water bodies, woodlands that will be preserved, existing development, existing non-conforming width, unique site configuration or shape), or existing off-site access points make it impractical to fully comply with the standards.
- 2. The use involves an access improvement to an existing site or a new use that will not generate any more traffic than the previous use, or there is only one access point that is not being changed.

3. The proposed modification is consistent with the general intent of the preceding standards, the recommendations of the M-43/M-52 Access Management Plan, and MDOT guidelines, and both the Township and MDOT staffs support the proposed access design.
4. If deemed necessary by the Planning Commission, a traffic study by a qualified traffic engineer may be required to verify that the proposed modifications will improve traffic operations and safety along M -43, and are not simply for the convenience of the development.
5. Indirect or shared access has been provided to the extent practical.

B. Temporary Driveway

The Planning Commission may require a temporary driveway for a set period of time or until an adjacent site develops allowing for shared access in accordance with this ordinance. The Planning Commission may require that a performance guarantee be provided to ensure the removal of the driveway upon expiration of the temporary driveway permit.

C. Appeals

The decision of the Planning Commission may be appealed to the Zoning Board of Appeals. In consideration of this variance, the ZBA shall also apply the standards in this Article in addition to the other variance criteria.