

To: City Council

From: Rich Morrison, Community Development Director

Date: August 7, 2023

Re: Subdivision Ordinance Amendments

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Background: A public hearing is scheduled for August 14 on amendments to the City's Subdivision Ordinance. The amendments have to do with sidewalk ramps at intersections and when they are constructed. The amendments propose to eliminate the language in Sections 142 (1-7). Sidewalk ramps, as well as other sidewalk and non-motorized pathway requirements are addressed in the Municipal Standards.

For additional background information, please refer to the attached July 18, 2023

Recommendation: Staff recommends holding the required public hearing and consider taking action to amend the Subdivision Ordinance by eliminating Sections 142 (1-7).

Action: Consider adopting the attached resolution to eliminate Sections 142 (1-7) of the Subdivision Ordinance.

Attachments:

1. Memo dated 7-18-2023
2. Public Hearing Notice
3. Current Subdivision Ordinance
4. Proposed Amendment
5. Ordinance as Amended

To: City Council

From: Rich Morrison, Community Development Director

Date: July 18, 2023

Re: Subdivision Ordinance and Municipal Standards

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Background:

City Council approved amendments to the Subdivision Ordinance in March 2023 and adopted the Municipal Standards in June 2023.

Prior to the adoption of the Municipal Standards, City Council discussed Chapter 3, Sidewalks and Non-Motorized Pathways - specifically the provision, "All ramps shall be installed prior to any building construction," which caused some concern. During the discussion, it was found the Subdivision Ordinance contained identical language. Staff suggested it would bring back language to address the City Council's concerns at a later date.

After discussion with the Zoning Administrator and Engineer, it has been clarified that the "ramps" in question are the ADA-compliant sidewalk ramps at street intersections. Staff has reviewed the Subdivision Ordinance and Municipal Standards and offers the following suggestions to add clarity:

Amend Subdivision Ordinance Section 36-142 - Sidewalks & Non-Motorized Pathways by deleting Sections 142(1)-(7). These sections are repeated in the Municipal Standards. Section 36-142 specifically states, "Sidewalks and non-motorized pathways must be constructed in compliance with the Municipal Standards." The suggested action removes from the ordinance the provision requiring "All ramps shall be installed prior to any building construction."

Additionally, the Municipal Standards should be amended as follows:

The "all ramps" provision is deleted and replaced with "sidewalk ramps." "Sidewalk ramps located at street intersections or when the sidewalk intersects with a street" is moved to the road design section and these ramps are constructed at the same time as streets.

A provision for "sidewalk ramps not located at street intersections" is included in the Sidewalks and Non-Motorized Pathways section in the event sidewalk ramps are utilized at locations other than street intersections or where a sidewalk intersects with a street.

A few other minor modifications are suggested to the Municipal Standards related to the above-mentioned modifications.

Recommendation:

Staff recommends amending the Subdivision Ordinance by deleting Sections 142 (1)-(7). The language proposed for deletion is nearly identical to that found in the Municipal Standards.

Staff further recommends amending the Municipal Standards by clarifying the application of “ramps.” Customarily, “ramps” means sidewalk ramps located at street intersections or the intersection of the sidewalk and a street.

City Council Action

Set a public hearing for August 14, 2023, to amend the Subdivision Ordinance by deleting Section 142 (1)-(7).

Adopt amendments to the Subdivision Ordinance and Municipal Standards at the August 14, 2023, City Council meeting.

Attachments:

## City of Grand Ledge Ordinance #609

### An Ordinance Amending the City Code, Chapter 36 – Subdivisions, Article XII – Design Standards, Section 36-142 – Sidewalks and Non- Motorized Pathways.

#### The City of Grand Ledge Ordains:

**Section 1. Change.** The City Code, Chapter 36 – Subdivisions, Article XII – Design Standards, Section 36-142 – Sidewalks and Non-Motorized Pathways, is amended, as follows:

Sidewalks shall be constructed parallel to and along both sides of all City, county, and state streets and highways within the City limits except where non-motorized pathways are required along routes designated as such by ordinance or the City's Master Plan. Sidewalks and non-motorized pathways must be constructed in compliance with the Municipal Standards ~~and the following:~~

- ~~(1) As a general rule, sidewalks shall be a minimum of five (5) feet wide and nonmotorized pathways shall be a minimum of seven (7) feet wide, unless an alternate width is required by the Public Service Director, in concurrence with the City Manager and City Engineer. The exact width shall be determined based upon projected volumes of pedestrian traffic or unique features of the physical environment such as uneven topography.~~
- ~~(2) Non-motorized pathways must comply with AASHTO Guide for the Planning, Design, and Operation of Bicycle Facilities and Design for H2O Loading.~~
- ~~(3) Sidewalks and non-motorized pathways shall be constructed in accordance with the following standards:
  - ~~(a) Shall be constructed of concrete that is at least four (4) inches thick and six (6) inches thick at the intersection of all driveways, on a four (4) inch sand base which may be increased up to eight (8) inches if deemed necessary by the City Engineer.~~
  - ~~(b) Shall be placed one (1) foot from the property lines along all public streets.~~
  - ~~(c) Shall comply with the Americans with Disabilities Act.~~
  - ~~(d) Longitudinal slopes shall be one-half (1/2) percent minimum, five (5) percent maximum.~~
  - ~~(e) Cross slopes shall be one-half (1/2) percent minimum, two (2) percent maximum.~~
  - ~~(f) The nominal grade shall be three (3) percent above the existing curb, assuming the existing curb height is six (6) inches in height. Where a curb does not exist, or where the existing curb is not six (6) inches in height, the grade must be approved by the City Engineer.~~
  - ~~(g) Where practical, sidewalks and non-motorized pathways shall be sloped toward the abutting street. In all cases, however, adequate drainage must be provided.~~~~
- ~~(4) All ramps shall be installed prior to home construction and remaining sidewalks or pathways shall be installed as homes are constructed.~~
- ~~(5) Sidewalk ramps must meet MDOT and federal standards.~~

~~(6) Cast iron detection plates are required in accordance with specifications provided by the City Engineer.~~

~~(7) Upon written request by the proprietor, the City Council may waive or modify the installation of sidewalk or non-motorized pathways, after review and recommendation by the City Manager, where it can be demonstrated that there is a practical difficulty that makes installation unreasonably difficult or where it would not serve a purpose based upon the motorized and pedestrian transportation system in the area. The City may, however, require alternative non-motorized improvements. MDOT, state and federal law requirements may not be waived.~~

**Section 2. Severability.** The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases or portions of this ordinance.

**Section 3. Section Headings.** The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

**Section 4. Effective Date.** This ordinance shall take effect seven days after it has been adopted by the City Council.

Introduced by the City Council this 24<sup>th</sup> day of July, 2023.

**Motion by** Lantz

**Second by** Gillespie

**Ayes:** Gillespie, Jancek, Lantz, Logel, MacDowell, Mulder, Willems

**Nays:** None

**Absent:** None

Adopted by the City Council this 14<sup>th</sup> day of August, 2023.

**Motion by** Gillespie

**Second by** MacDowell

**Ayes:** Gillespie, Jancek, Lantz, Logel, MacDowell, Mulder, Willems

**Nays:** None

**Absent:** None

Approved:

Keith O. Mulder



Keith O. Mulder, Mayor

I, Gregory Newman, City Clerk, certify this is Ordinance #609 adopted by the City Council at a meeting held the 14<sup>th</sup> day of August, 2023, a meeting held according to the Open Meetings Act, Public Act No. 267 of 1976, as amended. I further certify Ordinance #609 was published in the Grand Ledge Independent, a newspaper of general circulation in the City, the 23<sup>rd</sup> day of August, 2023, subsequent to its adoption.

*Gregory Newman*



Gregory L. Newman, City Clerk

- Introduced: 24 July 2023
- Public Hearing: 14 August 2023
- Adopted: 14 August 2023
- Published: 23 August 2023
- Effective: 24 August 2023