

CHAPTER 18 PRIVATE STREET REGULATIONS

SECTION 18.01 INTENT AND PURPOSE

- A. The purpose of the Private Street Regulations is to ensure that private streets and driveways meet minimum drive and emergency access standards for developments within the City. Private streets may also help preserve safe and efficient traffic movement by providing reasonable access to public roadways. The easements in which private streets are located allow for the efficient location of utilities. This chapter does not apply to private streets within planned unit developments or open space zone districts; however, these requirements for private streets may be used as standards or guidelines in planned unit developments or open space zone districts. This Chapter shall not apply to private streets or driveways for mobile home parks, schools, hospitals, apartments, nursing homes or other group homes, maneuvering lanes within a group of apartment or industrial buildings, or other similar uses as determined by the Zoning Administrator provided that these uses have direct public street frontage, there is adequate access for emergency vehicles, and that the private street does not provide access to any abutting lot or parcel of land.

SECTION 18.02 GENERAL PRIVATE STREET REGULATIONS

Private streets are considered to be permitted accessory uses within all zoning classifications. Where a private street is to be built, a private street permit is required to ensure that all lots have access to a private or public street. All buildings or uses must be located on a lot which has legal access to or abuts a public or private street. Private streets shall:

- A. Be approved by the Staff Review Team prior to the issuance of a building permit for a proposed structure to be served by the private street. The private streets shall be located within private street easements. The require easement width varies based on the uses that the private street serves. Standards for easement widths are outlined within Section 18.03.
- B. Be designed to provide sufficient frontage to all lots.
- C. Be paved with an asphalt or cement binder and shall be constructed to permit effective stormwater drainage so as to dispose of surface water which might accumulate upon the private street. No surface water from a private street shall be permitted to drain onto an adjoining property.
- D. Be able to support 20 tons on a single axle with dual wheels and standard road tires.
- E. Be named so it is not the same or similar to another street within the City. Where private streets intersect a public street, the signs shall meet the Kent County Road Commission standards as to design, location and maintenance.
- F. Maintain a height clearance of at least 14 feet.
- G. Not exceed a street grade of nine percent, except that a private street shall have a maximum grade of four percent for a minimum distance as approved by the City Engineer

from its intersection with a public right-of-way or another private street. Street curvature regulations shall be in accordance with the design specifications of the Kent County Road Commission or the City of Kentwood as amended from time to time.

- H. Be upgraded to appropriate standards consistent with these regulations where additional lots are allowed access to the private street, or where a private street is to become a public street. The private street shall be built to public construction standards to be accepted as public. The City reserves the right to reject a street as public if it so chooses. The upgrade of the street will be required from the drive access of the additional lot out to the public street. Exemptions from the upgrade requirement are as follows:
 - 1. Lots of record in existence as of January 1992;
 - 2. Lots altered subsequent to January 1992 due solely to governmental action; and
 - 3. Lots altered subsequent to January 1992 where the additional site(s) otherwise has alternate approved and recorded access to a public street.

- I. Include maintenance provisions to accommodate emergency vehicles and allow safe access of emergency vehicles to the site. The maintenance provisions shall include, but not be limited to, removal of snow upon an accumulation of four or more inches, sealing and filling cracks or holes in the street as reasonably necessary, and the removal of vegetative overhang which might obstruct emergency vehicle access or constitute a safety hazard as well as an adequate means of ensuring that maintenance will occur.

SECTION 18.03 SPECIFIC PRIVATE STREET DIMENSIONS

- A. Private streets serving more than one lot must be paved and meet the following minimum requirements:

Residential

Classification	Base Width	Pavement Width	Easement Width	Sidewalks Required	On-Street Parking
Driveway (2-10 lots)	18'	16'	30'	None	None
Minor Private (11-15 lots)	19'	18'	36'	None	None
Major Private (16-46 lots)	25'	24'	50'	1 side	1 side
Subcollector Private (46 plus lots)	31'	30'	60'	2 sides	2 sides

Nonresidential

Classification	Base Width	Pavement Width	Easement Width	Sidewalks Required	On Street Parking
	31'	30'	60'	None	None

- B. The pavement width for nonresidential private streets shall include two feet of curb (valley gutter type) on each side of the street.
- C. The sidewalk within the public street right-of-way, where required, may be replaced by alternate sidewalks or walkways located throughout the development.
- D. Where a major private street or a subcollector private street intersect a public street, a 60-foot easement width shall be required for the private street for a distance of 100 feet from the public right-of-way. Within that expanded easement width, a major private street shall be required to have a pavement width of at least 30 feet and subcollector private street shall be required to have a pavement width of at least 40 feet. Landscape islands to assist in traffic separation are encouraged.

SECTION 18.04 CUL-DE-SACS

A private street that involves a dead end or cul-de-sac street shall have a maximum length of thirteen-hundred twenty (1320) feet if a public hydrant is available within 500 feet of any proposed building site. The maximum length shall be five hundred (500) feet in the absence of a public hydrant. Residential cul de sacs of major private streets and subcollector private streets shall have a paved circular terminal area of at least a 70 foot diameter. All nonresidential cul de sacs shall have a paved circular terminal area of at least a 100 foot diameter.

SECTION 18.05 PROCEDURES

- A. The plans for private street construction must be reviewed and approved by a staff review team consisting of representatives of the City's Fire Chief, Engineer, Zoning Administrator or their designees. The members of the staff review team shall submit, in writing, any and all conditions that would warrant approval of or, alternatively, reasons for denial of the private street. The conditions shall be those necessary to ensure that a private street will not adversely affect the provision of public services and facilities, the natural environment, adjacent uses of land or the community as a whole and which are otherwise consistent with the ordinances, standards and policies of the City. After consideration, the staff review team, by majority vote, shall either approve, with or without conditions, or deny the private street. Prior to obtaining a building permit for any proposed structure that does not have direct access to a public street or existing private street, a permit for the private driveway or street must be obtained from the staff review team. A permit is not required for a private driveway which serves only one lot.
- B. No private street shall be constructed or utilized until a permit for the private street has been obtained from the City. No private street permit shall be issued by the City until the private street (as well as all lots fronting on the private street) has been approved pursuant to this Chapter. No building permit shall be issued for any proposed structure that does not have direct access to a public street or existing installed private street until the new private street has obtained all required approvals and permits and has been fully installed.
- C. The application for a private driveway or private street permit includes the submission of three copies of the following:

1. A site plan sketch, showing all existing and future proposed parcel splits and proposed structures.
 2. Drawings showing proposed utilities, sidewalks, curb openings, pavement width, water and storm drainage facilities, topography and vegetation.
 - 3.. A fee shall be required as set by the City Commission for the review of private driveways and private streets. Fees will be revised from time to time as necessary to cover the costs associated with the review procedure.
 4. A recorded easement agreement, including location, access, and maintenance provisions for the private street. The maintenance provision shall require that the road be kept in a condition that will accommodate emergency vehicles and allow the safe access of emergency vehicles to the site.
- D. Prior to the issuance of the permit for the private street, the applicant must provide to Kentwood proof of other permits that are required from the State of Michigan and Kent County.

SECTION 18.06 REVIEW STANDARDS

In addition to the standards and requirements specified in this chapter, no private street shall be approved pursuant to section 18.05, unless the staff review team also finds that the private streets and lots fronting the private street meet all of the following conditions and requirements:

- A. The private street will be safe for traffic and pedestrians.
- B. The proposed development will not adversely affect adjacent uses of properties and shall be designed, constructed and maintained in a manner harmonious with the character of adjacent properties and the surrounding area.
- C. The private street will not place demands upon public services and facilities in excess of their current capacities.
- D. The private street will be designed to preserve environmental features, such as trees, natural areas, streams and flood plains.
- E. The private street will be harmonious and consistent with the intent of the City's zoning ordinance and master plan.
- F. The private street shall comply with all applicable stormwater ordinance and regulations.