



AGENDA

Park Township Planning Commission Regular Meeting

December 12, 2018

6:30 p.m.

(Please turn off or set to silent mode all cellphones and other electronic devices)

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes: Regular meeting November 14, 2018
4. New Business:
 - a. Park Township Board of Trustees Strategic Planning Meeting – Presentation from Commissioner Nestel
 - b. Public Hearings
 - i. Zoning Ordinance Text Amendments
 - 1) Section 38-490 – Accessory Uses, poultry language
 - 2) Section 38-514 – Condominium Project Approval

Anticipated Action: Pending public comment, provide recommendation to the Park Township Board of Trustees.

- ii. Chapter 18 – Land Divisions and Subdivisions Text Amendment
 - 1) Section 18-19 – Definitions
 - 2) Section 18-61(2) – Preliminary plat, procedures
 - 3) Section 18-62 – Final plats
 - 4) Section 18-83(4) – Streets and roads, stub streets
 - 5) Section 18-84 – Intersections
 - 6) Section 18-85 – Pedestrian ways
 - 7) Section 18-86 – Easements
 - 8) Section 18-87 – Blocks
 - 9) Section 18-88 – Lots
 - 10) Section 18-89 – Planting strips and reserve strips
 - 11) Section 18-90 – Public sites and open spaces
 - 12) Section 18-91 – Large scale developments
 - 13) Section 18-116(10)b – Required improvements, Sidewalks and crosswalks
 - 14) Section 18-116(13) – Required improvements, Street trees

- 15) Section 18-118 – Guarantee of completion of improvements required by the township
- 16) Section 18-150 – Procedures

Anticipated Action: Pending public comment, provide recommendation to the Park Township Board of Trustees.

- c. Proposed 2019 Meeting Dates

Anticipated Action: Adopt meeting dates for the 2019 calendar year.

5. Old Business:

- a. Holland Charter Township Master Plan Amendment

Anticipated Action: Receive for information.

6. Public Comments

7. Announcements

- a. Next meeting date January 9, 2019

8. Adjourn

**MINUTES
PARK TOWNSHIP
PLANNING COMMISSION**

Park Township Hall
52 152nd Street
Holland, MI 49418

Regular Meeting
November 14, 2018
6:30 P.M.

DRAFT COPY

CALL TO ORDER:

Vice Chair Ervine called to order the regular meeting of the Park Township Planning Commission at 6:30 P.M., held in the Township Hall at the Park Township Office.

ATTENDANCE:

Present: Terry DeHaan, Dennis Eade, Rosemary Ervine, Diana Garlinghouse, David Kleinjans, Denise Nestel

Staff: Howard Fink, Manager; Dan Martin, Legal Counsel; Gregory Ransford, Staff Planner

Absent: Jeff Pfof

APPROVAL OF AGENDA:

Motion by Kleinjans, supported by Garlinghouse, to approve the agenda as presented.

Voice Vote:

Ayes 6, Nays 0. Motion carried.

APPROVAL OF MINUTES:

Garlinghouse noted corrections on pages 5 and 8.

Motion by Kleinjans, supported by Eade, to approve the October 25, 2018 Special Meeting Minutes as corrected.

Voice Vote:

Ayes 6, Nays 0. Motion carried.

New Business

1 – The Reserve on Lake Macatawa – Preliminary PUD Development Plan of 86 unit residential condominiums

This is a Planned Unit Development (PUD) application from Covenant Five, LLC (“Covenant” or “Developer”) to seek Preliminary PUD Development Plan approval for forty-six (46) single-family condominiums and twenty (20) duplex condominiums for a total of 86 residential units, as well as a swimming pool, club house, pathways, open space, and related site improvements located at 186 South Division, parcel numbers 70-15-25-280-012 and 70-15-25-280-013, which are located in the R-3 Low Density Single-Family Residence District (R-3).

Peter Engles, President of Covenant, introduced Jason Vander Kodde, civil engineer for the project, and David Caldon, Legal Counsel. Engles said this will be the first entire zero step condominium development on Lake Macatawa in Park Township. He reviewed the amenities of the proposal for the senior community and noted that 40% of Park Township residents are over 55 (based on the Township Master Plan’s data) so Covenant believes there is a market for this type of development. A survey conducted by his firm revealed that over 50% of prospective owners would prefer detached housing. The Reserve would include a clubhouse, fitness center, patio, outdoor heated pool, and community living room.

Vander Kodde, civil engineer for the project, reviewed the preliminary PUD plan objectives. The property is on three parcels totaling 41.1 acres. He noted it has public water and public sanitary sewer. The Township engineer, Mr. Burd, has confirmed the public utilities have adequate capacity to serve this PUD. The site allows for 119 units, however, The Reserve proposes only 86 units which is below density and compatible with the Master Plan and zoning ordinance. All would be detached units. He said the Township encourages clustering of homes to maintain density providing screening and buffering. Following collaboration with staff the plan will allow for some attached homes with adequate screening, buffering, and density requirements. This community will be conventional condominiums with an association and will have public utilities and private driveways. He outlined the benefits of the PUD: existing R-3 zoning requires 0% open space and the Township requires 20% open space; the plan is to allow 43% more than the 20% required by the ordinance; driveways will be reduced from four to one; there will be a landscaped entrance; the PUD will preserve the mature trees along Wisteria Drive, and there will be connectivity with bike paths and pedestrian pathways. The developer also offers a public park at the northwest near Wisteria Drive. The Developer is willing to donate this park to the Township. The Developer will preserve the existing mature trees in this area.

Vander Kodde pointed out that the setbacks are double the R-3 requirements. Vander Kodde stated that preserving the perimeter of trees is a substantial benefit to the residents and surrounding community. There will be a mix of housing types, attached and detached units in the plan. A park will be central to the development and the clubhouse near the lake will provide a pool, patio and fitness center.

Vander Kodde stated there will be zero step access to the waterfront. The plan also provides an underground storm water management system. Vander Kodde stated the Township engineer has recommended approval of the proposed drainage system. No additional tree removal will be necessary in the drainage areas. In summary, he added that this proposal will be completed in one phase.

Ransford said staff had requested the developer provide several equations regarding density. It is his opinion that the proposed plan meets Township requirements regarding the base density permitted however it is calculated, even with taking out the bottom lands and the approximate five acres not subject to the PUD along Wisteria. The Planning Commission has two options: ask the Developer to revise the preliminary PUD plan or make recommendations and ask the Developer to return with a final PUD plan. At that point a public hearing will be held. We need to know the details on what trees will be preserved and what will be removed. The applicant has said they will formally provide this with the final PUD site plan.

Martin noted that the Township Manager is abstaining from any discussion since he is a resident in the area within the 300' notice range.

Garlinghouse asked how the applicant prevents water from entering the house in a zero step plan. Also, she asked how the builder provides protection from melting runoff and salt from chemicals during the winter so they do not affect the roadway surface.

Vander Kodde said floor drains and internal connections in the home are connected to the sanitary sewer which is required by the Michigan Building Code. The landscape contractors must follow State law so contamination is managed by them. He noted that phosphorous is no longer in fertilizers.

DeHaan asked if the garage has a 4" rise.

Engles said this is no longer required. It is a zero step entrance into the home from the garage. The garage floor is sloped away from the interior access to the home.

DeHaan asked about multiple floor plans and price points. He observed that the plan does not give details regarding duplexes that are to be built. He wants to know what actual housing units are going into the development.

Engles explained his understanding of the PUD requirements. They provide zero step homes and within the project there will be a mix of housing types.

David Caldon confirmed they are promoting zero step along with different housing types – buyers want different floor plans because of particular needs.

DeHaan asked about the various price points at the front and rear of the development.

Ervine asked about square footage.

Engles said the different layout sizes will be from approximately 1500 to 3200 square feet. This depends on the choice of floor plans and options of additional space such as sunrooms and storage areas.

Ervine also asked about price points.

Engles said they are looking at material costs which is an important factor right now, but the range will probably be half million to one and a half million for the units.

Kleinjans asked about a kayak launch and marina.

Engles said boat slips are in a future plan and they are working on that with MDEQ and the Army Corps of Engineers. This will take a long time to work out the details.

Garlinghouse asked if the kayak launch and boat slips would be private.

Engles said they would be available only to the owners of the condominium association.

Nestel said the Planning Commission will want specific information about the inventory of trees and what will be cut down and what will remain. This is to avoid confusion in the event the situation should change. She asked about storm water management.

Vander Kodde provided an update. The drilling has occurred at ten different sites for perk tests and the information has been provided to the Water Resources Commissioner ("WRC"). The WRC has reviewed the documents and approved the system which will be under the road. This will not affect any trees for infiltration of storm water.

Nestel asked for the storm water plan.

Vander Kodde pointed out the green lines on the plan for storm sewer infiltration. He will delineate a line where they will eliminate only diseased or dead trees, and on the other side of the line where they can develop. The line will be shared with the Township engineer to be sure it is in compliance for building homes.

Caldon clarified with regard to the previously approved Villas PUD that only an estimate was made about the trees. In this case what would make more sense is to establish a definitive line for tree preservation areas and stay within that line, as that was how the Villas PUD dispute was resolved. Caldon stated this will be part of the final development plan.

Nestel asked for this plan ahead of time. She said the Township Board wants more engineering done on the tree issue. She added that something more definitive would be preferable to avoid any repeat problem of the loss of trees.

Martin said the Planning Commission can make recommendations for the developer to return with a revised preliminary plan or make recommendations for the final plan. Approval of the drainage by the WRC was a condition regarding the Beachwalk Condos in that final plan, and there was a major change to the approved Beachwalk Condos Plan due to the WRC requiring modification of the drainage plan, which resulted in the elimination of many trees along Ottawa Beach Road. What the Planning Commissioners can do is to make recommendations for The Reserve to identify trees or tree areas that are going to be preserved, and make that a condition to approval, or to require review and approval of the WRC before approving the final PUD site plan.

Kleinjans asked if we are to require WRC approval first. Ransford said this will be part of the final plan.

Martin said there is still time to make these adjustments before the final plan.

Ransford added this level of detail will be provided before the submission of the final plan.

Martin said the preliminary plan will never go before the Township Board. The goal of the preliminary phase is to get to the final phase. The Planning Commission can make recommendations for the preliminary plan. The final plan will show the detailed landscaping plan according to the Planning Commission's recommendations or requirements. This is the purpose of the preliminary plan submittal - to discuss and recommend modifications and to suggest terms and conditions that for example show what the tree preservation plan will be. The Planning Commission will likely want to ask for the details in the horizontal landscape plan as well as the canopy view to avoid the confusion that occurred in the Beachwalk Condos PUD plan.

Nestel asked if the 4½ acres is part of the PUD.

DeHaan asked if this was part of the buffer zone along Wisteria Drive.

Engles said that property is part of the Villas PUD but it is owned by The Reserve association. There is a no-build restriction on this property already from the Villas PUD approval. They are proposing to add this portion of the parcel to the Reserve's tree preservation property so that in addition to the no-build restriction from the Villas PUD, there will also be a required preservation of the trees.

Caldon said this will be included in the declaration of restrictions.

Kleinjans asked if the 4½ acres is part of the calculation for density purposes.

Ransford said it was not.

Kleinjans said he was concerned about providing tree preservation protection along the shoreline. He has observed a barren area on the hill side where the Villas is located.

Engles said that area Kleinjans was referring to in the Villas PUD has since been improved with grass plantings approved by MDEQ for wildlife and soil preservation. It is now 3' mature.

Kleinjans asked how close will the units be to the bluff.

Vander Kodde said the minimum setback is 30 feet.

Garlinghouse asked if arborists are included in the determination of what trees are to remain and to be removed - Who identifies the trees?

Martin said this request for an arborist can be included as a condition of approval recommended by the Planning Commission and approved by the Board.

Engles said the arborists give recommendations on the trees.

Nestel wanted to establish what is *not* in the preservation plan and asked about the setbacks.

Ransford said Section 38-56 states what the setbacks are.

Vander Kodde said they have provided setbacks on the drawings. The dimensions are: 40' front yard on Wisteria Drive, 40' front yard on Division, 50' along Lake Macatawa, and a 10' setback along the property line.

Engles clarified that 20' will be the minimum between units but it will vary between 20' and 30' depending on the floor plan.

Ransford confirmed this is required for the R3 zone.

PUBLIC COMMENT

Ervine opened Public Comment at 7:45 P.M.

Eliza Bivins-Fink lives on the north side of the wooded area under consideration. Her house is near this development. The woods create a nice buffer for the residents and she would like to see as much of the woods preserved as much as possible. She does not support the purpose of the proposed path next to her property line. She was also concerned about clearing dead materials in the woods which would impact the small critters who use it for their habitat.

Laura Johnson is concerned about tree preservation and would like to see an arborist identify the trees. She does not want this area cleared and would like the developer to leave the natural woods alone.

There were no other individuals present who wished to address the Planning Commission on this application.

Ervine closed Public Comment at 7:50 P.M.

Ervine suggested discussion of the Considerations as outlined by Ransford in the Staff Memo.

Considerations

- Whether the density and open space equations are appropriate

Ransford said these have been addressed and are in compliance. However, the Planning Commission needs to determine if a lesser density and or greater open space is appropriate. The Planning Commission concluded that the proposed density and open space are appropriate.

- Whether the optional pedestrian pathways should be constructed

Ransford said two pathways have been considered. The developer is adding walkways internally. DeHaan noted that the north walkway provides access into the development. He asked: Would residents like that? If we eliminated that pathway does this impact any of our goals? Ransford said it would not in his opinion. The internal pathway connects to Division.

With or without Wisteria it would eliminate the north pathway. Wisteria is okay and you could keep the path along Division.

Engles observed the wishes of the Planning Commission: the Wisteria pathway makes sense, the pathway to the north should be eliminated, and keep internal pathway to Division. He asked about the park. He said it could be donated to the Township or could be maintained by the condo association.

* Whether the northern optional pathway should be redesigned along the public water line to the internal drive and connect to the proposed sidewalk termination at the driveway intersection

Vander Kodde said as a private PUD the Road Commission does not have jurisdiction on the private roads included in the plan. The Road Commission will issue a commercial driveway permit for the private road but they can't force the developer to build a public road through the property.

Martin concurred the Developer doesn't have to put in a public road because this will not be a platted subdivision. The Road Commission doesn't require a public road for a PUD.

The Planning Commission concluded that the proposed northern pathway should be removed, but construction of the Wisteria pathway and the corner park shall be provided.

- Submission of a tree preservation plan related to permanent open space, public water and sanitary sewer construction, storm water construction, Fire Department access, etc.

DeHaan said what is missing is the number of trees.

Vander Kodde said they would submit this. The applicant will include the number of trees, size at planting, and species.

The Planning Commission concluded that a tree preservation and landscaping plan shall be provided with the final site plan.

- Seek additional details regarding the proposed underground storm water system related to the Michigan Lakefront Residential Classification provision to prevent runoff of chemicals and decrease flooding

The Planning Commission agreed to wait on WRC approval.

- Whether the proposed meets the goals, objectives, and vision of the Master Plan

The Planning Commission agreed that it does.

- Whether an Environmental Impact Assessment is necessary

Engles said they are not proposing to put in a wetland.

The Planning Commission concluded that an Environmental Impact Assessment is not necessary at this time.

- A condition that the open space preservation and maintenance agreement is reviewed by the Township legal counsel and found to his satisfaction prior to final plan public hearing

The Planning Commission agreed.

- Review of the Master Deed and Bylaws by the Township legal counsel

The Planning Commission agreed.

- Review and approval by the Ottawa County Water Resources Commissioner's office

The Planning Commission agreed.

Garlinghouse asked about signage and lighting.

Martin said this is considered later in the PUD process. Conditions specific to the lighting and signage could be made at a later point as part of the final PUD approval.

Engles said they use minimal street lighting and minimal light pollution with landscape lighting. All of this will be provided later in the final package.

Ervine asked if the Planning Commission is ready to move this forward.

DeHaan said he would like to see more on the tree preservation plan, WRC input, and specifications on units, especially the duplexes.

Engles said he will provide what is requested and he will provide elevations and floor plans in the Final Plan.

Vander Kodde showed an illustration of the tree preservation areas in the proposed plan. This was not part of the package so this will be further delineated for those areas. He also explained that some of the dead or dying trees need to be removed as a safety factor.

All concurred to proceed with the proposed Final PUD plan for the next meeting provided the developer makes the recommended changes.

Old Business

1 – Section 38-490 Accessory Uses, Poultry Language

Ransford said the language is before the Planning Commission for review and ready for a Public Hearing at the next meeting.

Kleinjans asked in Subsection C if language should be included stating a permit is required since the language says a permit may be revoked.

Martin suggested adding language that clearly states the Zoning Administrator issues such a permit.

All concurred to move this forward.

2 – Chapter 18 – Land Divisions and Subdivisions

Ransford said the provision is included stating that a Public Hearing is required for plats and road ends shall be deeded to the Ottawa County Road Commission. He included the definition of a preliminary plat. Ransford added language regarding street trees since there are no specific provisions regarding the number of trees or location.

Martin said this street tree requirement applies to a platted subdivision.

It was suggested there should be a clarification regarding the references to the Township Clerk. The reference needs to be defined and consistent in the language.

There were some additional minor edits

All concurred to move this forward.

3 – Condominium Language

Martin addressed the three questions asked by Nestel in her email to him:

1)What is a site condo?

Martin said this term is not defined in the Condominium Act, but that site condos have been used for development purposes for decades. Martin explained that a site condo is the analogical equivalent of a subdivision, but does not go through the platting process to transfer ownership of the parcel of property. Basically a site condo development is like a subdivision, but it is separated into individual condo units that are sites that can be built on, similar to a subdivision but not individual lots that are created through the plat process. could the Township has historically required site condos to go through the PUD process. The Park Township ordinance provides, however, that a home or structure can be built on a parcel or a lot. The Attorney General issued an opinion that stated site condos do not have to go through the subdivision process because there is no land division when creating site condos. A site condo creates separate tax parcel ID number for each separate buildable parcel that is a condo unit in a site condo. Additionally, they have to meet setback requirements according to the Park Township zoning ordinance, just as any property owner building on a lot would. Because our ordinance allows houses and structures to be built on a lot or a parcel, the Township wouldn't be able to control site condos without a site condo ordinance – if a proposed site condo development met all of the requirements of the current zoning ordinance, such as setbacks,

parcel/lot sizes, frontage, etc., the project would go forward with only building permit approval – in other words, no review or approval by the Planning Commission.

2) Does the Township have to address a separate ordinance to regulate site condos?

Martin said the Township could establish a site condo ordinance, it has the legal authority to do so. It's a policy issue to regulate this kind of development. The Township could choose to apply regulations that are similar to the Township's subdivision ordinance requirements and standards to site condos.

3) What are the advantages and disadvantages if the Township approves the ordinance?

Martin said the Township would have some level of control over site condo developments similar to the level of control over subdivisions, and could then insist that street trees, lighting, etc. be added to the requirements for site condos. This would ensure appropriate infrastructure or other amenities for site condos, like subdivisions.

Ransford said he will include these requirements with the language.

All concurred with Martin reviewing the revised language after Ransford submits the draft.

4 – Tree Preservation Ordinance Concept

Ransford said there are many parameters in this ordinance. He asked the Planning Commission for input. Does the Planning Commission want to consider certain streets, commercial development areas, and residential areas? He noted the Master Plan identified Ottawa Beach Road as an important corridor for developing and/or retaining a tree canopy.

All agreed Ransford should begin drafting language beginning with focus on subdivision and commercial development and major corridors.

Ervin asked for draft language based on the Planning Commission discussion. Ransford said he would work on this.

ANNOUNCEMENTS

The next meeting date is December 12, 2018.

ADJOURNMENT

Nestel moved, supported by Kleinjans, to adjourn the meeting at 9:15 P.M.

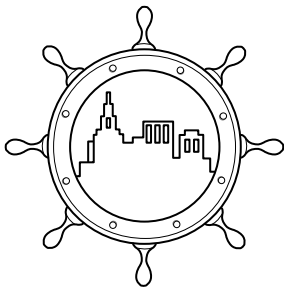
Voice Vote:

Ayes 6, Nays 0. Motion carried.

Respectfully submitted,

Judith R. Hemwall
Recording Secretary
November 16, 2018

Approved:



Fresh Coast Planning

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MEMORANDUM

To: Park Township Planning Commission
From: Gregory L. Ransford, MPA
Date: December 4, 2018
Re: Public Hearings for Zoning Ordinance and Chapter 18 – Land Divisions and Subdivisions Text Amendments

Pursuant to your direction at your November 14, 2018 meeting, attached is a proposed Zoning Text Amendment Ordinance to amend Section 38-490 of the Park Township Zoning Ordinance regulating poultry on residential lots and create Section 38-514 to regulate condominium projects. Additionally, attached is a Text Amendment Ordinance to amend Chapter 18 – Land Divisions and Subdivisions to include a public hearing for plats, street trees, and perform minor changes to the language.

Below is your specific direction along with our revisions as a result, where necessary:

- Zoning Text Amendment Ordinance
 - Add “authorized by permit” in Section 38-490(c) related to the Zoning Administrator authority, to complete the reference to revocation of a permit within Section 38-490(g)
- Chapter 18 Amendment Ordinance
 - Change any other incorrect township reference to the Ottawa County Road Commission (OCRC), when relevant to the OCRC. No additional references exist.
 - Revise “Clerk” to “Township Clerk” throughout the ordinance to create consistency. We found three (3) additional occurrences, which were revised accordingly.
 - Section 18-84(5) – Revise “jobs” to “jobs” within Section 18-84(5)

Finally, it is important to note that as a result of the necessary numerical corrections throughout Chapter 18, we were required to revise Section 18-83(4) and Section 18-116(10)b accordingly. Given this, proposed revisions to said sections are included within the Text Amendment Ordinance.

Planning Commission Action

Pending comment received during the public hearing, the Planning Commission is tasked with providing a recommendation to the Park Township Board of Trustees. As you are aware, we support a recommendation of adoption for all of the proposed text amendments.

As aforementioned, the language has been scheduled for a public hearing at your December 12, 2018 meeting. If you have any questions, please let us know.

GLR
Planner

cc: Howard Fink, Manager

Attachments

ORDINANCE NO. 2018-_____

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND SECTION 38-490 – ACCESSORY USES;
AND ADD SECTION 38-514 – CONDOMINIUM PROJECT APPROVAL
OF THE PARK TOWNSHIP ZONING ORDINANCE AND TO PROVIDE
FOR THE EFFECTIVE DATE OF THIS ORDINANCE

THE TOWNSHIP OF PARK, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. Accessory Uses. Section 38-490 of the Zoning Ordinance shall be amended to state in its entirety as follows.

Sec. 38-490 Accessory uses.

- (a) In any zoning district, accessory uses, incidental only to a permitted use, are permitted when located on the same lot; provided, however, that such accessory uses shall not involve the conduct of any business, trade or industry.
- (b) The keeping of household pets, including cats, dogs, household fish and household birds, is expressly permitted as an accessory use in any zoning district; provided, however, that no more than four adult dogs or cats or any combination thereof shall be kept or housed in or at one dwelling unit.
- (c) The keeping of any other animals or poultry in any zoning district except the AG agricultural and permanent open space district, or as a part of a riding stable in the R-1 rural estate residence district, is prohibited except when authorized by a permit from the Zoning Administrator. The Zoning Administrator may, in his discretion, decline to decide such matter and refer decision thereon to the Zoning Board of Appeals as a matter for Zoning Board of Appeals decision pursuant to Section 603 of the Zoning Act (MCL 125.3603). In considering such authorization, the following standards shall be considered:
 - (1) The land area where such animals are to be housed;
 - (2) The location of adjacent property;
 - (3) Whether or not noise or odors are likely to adversely affect the use of adjoining properties or the surrounding neighborhood;
 - (4) For properties less than one (1) acre in area, the slaughter of animals shall be prohibited; and
 - (5) Poultry and fowl shall be permitted as follows:

Table Showing the Number of Poultry and Fowl Permitted

Total Number of Poultry and Fowl

Area of Lot	Number Permitted	Setback From Adjoining Dwelling
8,500 square feet to 14,999 square feet	4 poultry/fowl	50 feet
15,000 square feet to 24,999 square feet	6 poultry/fowl	50 feet
25,000 square feet to one (1) acre	10 poultry/fowl	100 feet
Over one (1) acre	15 poultry/fowl	100 feet

- a. Poultry and fowl shall not be free range and shall be securely contained within a fenced area so as to restrict such animals to the lot on which they are kept.
 - b. The fenced area where the poultry and fowl are kept shall be located within the rear yard and shall be at least 10 feet from any side or rear lot line.
 - c. Poultry and fowl coops shall contain no less than four (4) square feet per hen.
 - d. Poultry and fowl runs shall contain no less than four (4) square feet per hen.
 - e. If poultry and fowl are caged, each cage shall be no less than one (1) square foot in area.
 - f. The area where the poultry and fowl are kept shall be kept clean so as to prevent noxious odors.
 - g. Food for the poultry and fowl shall be stored in enclosed containers.
 - h. Roosters shall not be permitted.
 - i. The keeping of poultry and fowl is not permitted at multi-family residences.
- (d) The keeping of any animal or poultry as an accessory use in a residential zoning district shall not be authorized unless it is for recreational purposes only.
- (e) The keeping of horses as an accessory use shall only be permitted if all of the following requirements are met.
- (1) The grazing area upon which the horses are kept shall be a minimum of one acre in area. For purposes of this section, grazing area shall mean the fenced open pasture land used for grazing by the horses and the accessory building required in Subsection (2) of this section immediately below, and shall specifically exclude the portion of the lot occupied by the principal building and its accessory structures and/or buildings as well as all required front, side, and rear yards.

- (2) An accessory building shall be erected in compliance with all requirements and restrictions of Section 38-491 to be used as a shelter for the horses.
- (3) The accessory building and the grazing area upon which the horses are kept must be entirely fenced. All gates in the fence should be kept locked. The fencing must comply with Section 38-498 and be adequate in height, strength, and general design to prevent a horse from escaping from the grazing area.
- (4) The number of horses permitted shall be limited to the ratio of one large horse per full acre, or two miniature horses per full acre, as shown in the following table. For purposes of this section, a large horse shall be any horse whose size is greater than 38 inches in height (including a foal of a large mare, regardless of the size of the foal), and a miniature horse shall be any horse (except for the foal of a large mare) whose size is less than or equal to 38 inches in height.

Table Showing the Number of Horses Permitted for Parcels Smaller Than Eight Acres

Size of Grazing Area	Total Number of Horses	
	Permitted	Possible Combinations Permitted
5 acres to	5 large or 10 mini	(2 large + 4 mini)
		(1 large + 6 mini)
		(0 large + 8 mini)
		(5 large + 0 mini)
		(4 large + 2 mini)
		(3 large + 4 mini)
		(2 large + 6 mini)
		(1 large + 8 mini)
6 acres to	6 large or 12 mini	(0 large + 10 mini)
		(6 large + 0 mini)
		(5 large + 2 mini)
		(4 large + 4 mini)
		(3 large + 6 mini)
		(2 large + 8 mini)
		(1 large + 10 mini)
		(0 large + 12 mini)
7 acres to	7 large or 14 mini	(7 large + 0 mini)
		(6 large + 2 mini)
		(5 large + 4 mini)
		(4 large + 6 mini)
		(3 large + 8 mini)
		(2 large + 10 mini)
		(1 large + 12 mini)
		(0 large + 14 mini)

- (f) In addition to initial authorization by the Zoning Administrator or the Zoning Board of Appeals, the housing of nonhousehold pets, animals, fish or birds in any zoning district except the AG agricultural and permanent open space district, or as a part of a riding stable in the R-1 rural estate residence district shall require a nontransferable permit to be issued by the Zoning

Administrator for one year when authorization is first granted with renewal annually thereafter. In renewing such permit, the Zoning Administrator shall determine whether or not the permit holder is in compliance with the requirements of this chapter and any requirements, conditions, or restrictions established when authorization was granted.

- (g) The permit may be revoked upon violation of any of the regulations stated above.

Section 2. Condominium Project Approval. Section 38-514 of the Zoning Ordinance shall be added to state in its entirety as follows.

Sec. 38-514 Condominium Project Approval.

Pursuant to authority conferred by Section 141 of the Condominium Act, Act 59 of 1978, (MCL 559.101 et. seq.; MCL 559.241) as amended, all condominium subdivision plans shall be submitted to the Planning Commission for Township approval. In determining whether to approve a condominium subdivision plan, the Planning Commission and Township Board shall consult with the Zoning Administrator, Township Planner, Township Attorney, and Township Engineer regarding the adequacy of the master deed, deed restrictions, utility systems and streets, subdivision layout and design, and compliance with all requirements of the Condominium Act. For purposes of interpreting and applying this Section 38-514, the words and phrases used shall have the meanings respectively ascribed to them in sections 3 through 10 of the Condominium Act (MCL 559.103-MCL 559.110).

- (a) Initial Information.

Concurrently with notice required to be given to the Township pursuant to Section 71 of the Condominium Act (MCL 559.171), a person intending to develop a condominium project shall provide the following information with respect to the project:

- (1) The name, mailing address, electronic mail address, and telephone number of:
 - a. All persons with an ownership interest in the land on which the condominium project will be located together with a description of the nature of each person's interest (for example, fee owner, optionee, or land contract vendee).
 - b. All engineers, attorneys, architects or registered land surveyors associated with the project.
 - c. The developer of the condominium project.
- (2) The legal description of the land on which the condominium project will be developed together with appropriate tax identification numbers.

- (3) The acreage content of the land on which the condominium project will be developed.
- (4) The purpose of the condominium project (for example, residential, commercial, industrial, etc.).
- (5) The number of condominium units to be developed as part of the condominium project.
- (6) Whether or not a community water system is contemplated.
- (7) Whether or not a community septic system is contemplated.

(b) Information to be Kept Current.

All information required by this Section 38-514 shall be furnished to the Zoning Administrator and shall be kept current and updated until such time as a Certificate of Compliance pursuant to Section 38-35 has been issued.

(c) Site Plans - New Projects, Master Deed, and Engineering and Inspections.

Prior to recording the Master Deed as required by Section 72 of the Condominium Act (MCL 559.108), the condominium project shall undergo site plan review and approval pursuant to Article II, Division 3 of this Ordinance by the Planning Commission. The Township Board may approve a condominium project in any location within Park Township provided the condominium project meets the provisions of Section 38-514. In addition, the Township shall require appropriate engineering plans and inspections prior to the issuance of any Certificates of Compliance.

(d) Site Plans - Expandable or Convertible Projects.

Prior to expansion or conversion of a condominium project to additional land, the new phase of the condominium project shall be subject to site plan review and approval pursuant to Article II, Division 3 of this Ordinance by the Planning Commission. The Township Board may approve an expansion or conversion provided the condominium project meets the provisions of Section 38-514.

(e) Master Deed, Restrictive Covenants and "As Built" Survey to be Furnished.

The developer shall furnish the Zoning Administrator with the following:

One (1) copy of the recorded Master Deed and one (1) copy of all restrictive covenants. In the event of any conflict between the restrictive covenants, the approved plan, and this Ordinance, the approved plan and this Ordinance shall control. Two (2) copies of an "as built survey shall also be provided. The "as built survey" shall be reviewed by the Zoning Administrator for compliance with all

applicable Township Ordinances.

(f) Compliance with Federal, State and Local Law.

All condominium projects shall comply with Federal and State Statutes and local ordinances.

(g) State and County Approval.

The developer shall establish that appropriate state and county approvals have been received with regard to the fresh water system for the proposed condominium project and with regard to the waste water disposal system for the proposed condominium project.

(h) Easements for Utilities.

The condominium subdivision plan shall include all necessary easements granted to Park Township, or Ottawa County if appropriate, for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and/or removing pipelines, mains, conduits and other installations of a similar character (hereinafter collectively called "public structures") for the purpose of providing public utilities, including conveyance of sewage, water and storm water run-off across, through and under the property subject to said easement, and excavating and refilling ditches and trenches necessary for the location of the public structures.

(i) Condominium Plan - Required Content.

All condominium subdivision plans shall include the information required by Section 66 of the Condominium Act and the following:

- (1) A survey plan of the condominium subdivision.
- (2) A floodplain plan, when appropriate.
- (3) A site plan showing the location, size, shape, area and width of all condominium units.
- (4) A utility plan showing all sanitary sewer, water, and storm sewer lines and easements granted to the Township for installation, repair and maintenance of all utilities.
- (5) A street construction, paving, and maintenance plan for all private streets within the proposed condominium subdivision.
- (6) A storm drainage and stormwater management plan, including all lines, swales, drains, basins, and other facilities.

(j) Relocation of Boundaries.

The relocation of boundaries, as described in Section 48 of the Condominium Act, shall conform to all setback requirements of this Ordinance for the district in which the condominium project is located, and shall be subject to the review and approval of the Zoning Administrator. These requirements shall be made part of the bylaws and recorded as part of the Master Deed.

(k) Subdivision of Condominium Units.

All subdivisions of individual condominium units shall conform to the requirements of this Ordinance for minimum lot width, lot area, and the building setback requirements, and shall be subject to the review and approval of the Zoning Administrator. These requirements shall be made part of the bylaws and recorded as part of the Master Deed.

(l) Manufactured Housing Condominium Project.

Manufactured Housing condominium projects shall conform to all requirements of this Ordinance and shall be located only in a Planned Unit Development.

(m) Site Condominium Projects.

All Condominium projects that consist in whole or in part of condominium units which are building sites, mobile home sites, or recreational sites shall provide in the condominium plan a building envelope which complies with the setback, area and width requirements of the applicable zoning district and shall be subject to the review and approval of the Zoning Administrator.

(n) Single Family Detached Condominiums.

Single family detached condominium units shall be subject to all requirements and standards of the applicable residential district regulations including minimum floor area requirements. There shall be maintained a minimum distance of eighty (80) feet from the center of one (1) residential dwelling unit to the center of another residential dwelling unit. This eighty (80) foot requirement shall be computed along the front building line. In addition, building envelopes shall be depicted on the site plan to ensure that the minimum area requirements can be met.

(o) Streets and Roads and Sidewalks.

- (1) All streets and roads in a site condominium project shall, at a minimum, conform to the standards and specifications promulgated by the Ottawa County Road Commission, or private roads built to Section 38-512 of this Ordinance.

- (2) The developer shall install sidewalks, designed and installed to Ottawa County Road Commission standards, along the development side of all public streets on which the development has frontage if the public street has a bituminous hard surface or if the developer is proposing to hard surface the public street on which the development has frontage. In cases where a sidewalk, or portion of a sidewalk, is outside of the public street right-of-way, a public easement for sidewalk purposes is required.
- (3) The developer shall install internal sidewalks according to the requirements of Chapter 18 – Land Divisions and Subdivisions Ordinance, as amended.

(p) Paved Public Streets.

The land for which a condominium project is proposed under this Ordinance shall have frontage on and abut a paved public street for the entire width of the parcel being proposed for the condominium project. If such land is a corner lot each public street abutting the land must be paved as noted herein.

If the land does not have such paved public street frontage, the developer of the condominium project may make such improvements as are necessary to comply with the paved public street frontage requirement of Section 38-514(p) above, subject to the approval of the Ottawa County Road Commission. If a parcel has frontage on only one (1) public street such improvements shall be extended from an existing paved public street to the farthest lot line of the parcel containing the proposed condominium project.

If the parcel is a corner lot only one (1) of the street frontages must be paved as extended from an existing paved public street to the farthest lot line of the parcel containing the proposed condominium project. This street shall be considered the primary street frontage for the condominium project.

In order to comply with the paved public street frontage requirement of Section 38-514(p) above, the remaining street frontage (the secondary street frontage) for the condominium project must be paved at such time that an entrance to the condominium project is provided onto the secondary street frontage. This paving shall be extended from the paved primary street frontage to the condominium project entrance on the secondary street.

(q) Public Water and Sanitary Sewer

Public water and sanitary sewer service shall be provided to all condominium projects according to the requirements of Chapter 18 – Land Divisions and Subdivisions Ordinance, as amended.

(r) Street Lights and Street Trees

The developer shall install street lights and street tress according to the requirements of Chapter 18 – Land Divisions and Subdivisions Ordinance, as amended.

(s) Public Hearing

Prior to making a recommendation to the Township Board, the Planning Commission shall hold a public hearing on the condominium plan. Public notice shall be provided as required by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

Section 3. Severability. This Ordinance and its various parts are hereby declared to be severable. If any portion of this Ordinance is declared to be invalid such declaration shall not affect the validity of the remainder of this Ordinance.

Section 4. Effective Date. This amendment to the Park Township Zoning Ordinance was approved and adopted by the Township Board of Park Township, Ottawa County, Michigan on _____, 2018, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on _____, 2018, which date is the eighth day after publication of the Zoning Text Amendment Ordinance in the _____ as required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Gerald Hunsburger
Township Supervisor

Skip Keeter
Township Clerk

CERTIFICATE

I, Skip Keeter, the Clerk for the Township of Park, Ottawa County, Michigan, certify that the foregoing Park Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2018. The following members of the Township Board were present at that meeting:

_____. The following members of the Township Board were absent:

_____.

The Ordinance was adopted by the Township Board with members of the Board _____

voting in favor and members of the Board _____

_____ voting in opposition. Notice of Adoption of the

Ordinance was published in the _____ on _____, 2018.

Skip Keeter, Township Clerk

ORDINANCE NO. 2018-_____

AN ORDINANCE TO AMEND THE LAND DIVISIONS AND
SUBDIVISIONS ORDINANCE OF PARK TOWNSHIP AND TO PROVIDE
FOR THE EFFECTIVE DATE OF THIS ORDINANCE

THE TOWNSHIP OF PARK, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. Definitions. Section 18-19 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-19 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ALLEY — A public or private right-of-way shown on a plat which provides secondary access to a lot, block or parcel of land.

AS-BUILT PLANS — Revised construction plans in accordance with all approved field changes.

BLOCK—An area of land within a subdivision that is entirely bounded by streets, highways or ways, except alleys, and the exterior boundary of the subdivision.

BUILDING LINE or SETBACK LINE—A line parallel to a street right-of-way line, shore of a lake, edge of a stream or river bank, established on a parcel of land or on a lot for the purpose of prohibiting construction of a building between such line and a right-of-way, other public area or the shore of a lake, or the edge of a stream or river bank.

CAPTION — The name by which the plat is legally and commonly known.

COMMERCIAL DEVELOPMENT — A planned commercial center providing building areas, parking areas, service areas, screen planting and widening, turning movement and safety lane roadway improvements.

CROSSWALKWAY (PEDESTRIAN WALKWAY) — Right-of-way, dedicated to public use, which crosses a block to facilitate pedestrian access to adjacent streets and properties.

DEDICATION — The intentional appropriation of land by the owner to public use.

ENGINEER — Any person who is registered in the state as a professional engineer.

FLOODPLAIN — That area of land adjoining the channel of a river, stream, water-course, lake or other similar body of water which will be inundated by a flood which can reasonably be expected to occur once in 25 years for that region.

GREENBELTS or BUFFER PARKS—A strip or parcel of land, privately restricted or publicly dedicated as open space located between incompatible uses for the purpose of protecting and enhancing the residential environment.

IMPROVEMENTS — Any structure incident to servicing or furnishing facilities for a subdivision such as grading, street surfacing, curb and gutter, driveway approaches, sidewalks, crosswalks, water mains and lines, sanitary sewers, storm sewers, culverts, bridges, utilities, lagoons, slips, waterways, lakes, bays, canals and other appropriate items with appurtenant construction.

INDUSTRIAL DEVELOPMENT — A planned industrial area designed specifically for industrial use providing screened buffers, wider streets and turning movement and safety lane roadway improvements, where necessary.

LAND DIVISION ACT — Public Act No. 288 of 1967 (MCL 560.101 et seq.).

LOT — A measured portion of a parcel or tract of land, which is described and fixed in a recorded plat.

LOT DEPTH—The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

LOT WIDTH — The horizontal distance between the side lot lines measured at the setback line and at right angles to the lot depth.

MAJOR STREET PLAN — That part of the master plan which describes the existing street system in the Township and outlines future street planning needs.

MASTER PLAN — The basic plan, as amended from time to time adopted by the Township pursuant to Public Act No. 33 of 2008 (MCL 125.3801 et seq.). Such plan may include all or any part of the elements described in such Act and may include maps, plats, charts, and descriptive, explanatory and other related matter.

OUTLOT — When included within the boundary of a recorded plat, a lot set aside for purposes other than a building site, park or other land dedicated to public use or reserved to private use.

PARCEL or TRACT — A continuous area or acreage of land which can be described as provided for in the land division act.

PLANNED UNIT DEVELOPMENT — A land area which has both individual building sites and common property, such as a park, and which is designated and developed

under one owner or organized group as a separate neighborhood or community unit.

PLAT—A map or chart of a subdivision of land. The precise content and scope of various types of plats are described in Division 2 of this article.

PRELIMINARY PLAT - a map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration.

PROPRIETOR, SUBDIVIDER, or DEVELOPER — A natural person, firm, association, partnership, joint venture, corporation or combination of any of them, which may hold any recorded ownership interest in land. The proprietor is also sometimes referred to as the owner.

PUBLIC OPEN SPACE — Land dedicated or reserved for use by the general public, including, without limiting the generality of the foregoing, parks, parkways, recreation areas, school sites, community or public building sites, streets and highways, and public parking spaces.

PUBLIC UTILITY — Any person, firm, association, corporation, partnership, joint venture, or municipal or other public authority or combination of any of them providing gas, electricity, water, steam, telephone, telegraph, storm sewers, sanitary sewers, transportation or other services of a similar nature.

REPLAT — The process of changing, or the map or plat which changes the boundaries of a recorded subdivision plat or part thereof. The legal dividing of an outlot within a recorded subdivision plat without changing the exterior boundaries of the outlot is not a replat.

RIGHT-OF-WAY — A street, alley, thoroughfare, easement or strip of land used or intended to be used for pedestrian or vehicular access by the general public and not reserved for the exclusive right of any individual.

SIGHT DISTANCE — The unobstructed vision on a horizontal plane along a street centerline from a driver-eye height of 3.75 feet and an object height of six inches.

STREET or ROAD — A right-of-way which provides for vehicular and pedestrian access to abutting properties.

ARTERIAL STREET — Those streets of considerable continuity which are used or may be used primarily for fast or heavy traffic.

COLLECTOR STREET — Those streets used to carry traffic from minor streets to arterial streets, including principal entrance streets to large residential developments.

CUL-DE-SAC—A minor street of short length having one end terminated by a vehicular turnaround.

EXPRESSWAY — Those streets designed for high speed, high volume traffic, with full or partially controlled access, some grade crossings but no driveway connections.

FREEWAY — Those streets designed for high speed, high volume through traffic, with completely controlled access, no grade crossings and no private driveway connections.

MARGINAL ACCESS STREET — A minor street which is parallel and adjacent to arterial streets and which provides access to abutting properties and protection from through traffic and not carrying through traffic.

MINOR STREET — A street which is intended primarily for access to abutting properties.

PARKWAY — A street designed for noncommercial, pleasure-oriented traffic moving at moderate speeds, between and through scenic areas and parks.

STREET WIDTH — The shortest distance between the lines delineating the right-of-way of streets.

SUBDIVIDE or SUBDIVISION — The partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his heirs, executors, administrators, legal representatives, successors, or assigns for the purpose of sale, or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that is not exempted from the platting requirements of this article by sections 108 and 109 of the land division act (MCL 560.108, 560.109). The term "subdivide" or "subdivision" does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this act or the requirements of this article.

SURVEYOR—Either a land surveyor who is registered in the state as a registered land surveyor or a civil engineer who is registered in the state as a registered professional engineer.

TOPOGRAPHICAL MAP — A map showing existing physical characteristics, with contour lines at sufficient intervals to permit determination of proposed grades and drainage.

Section 2. Preliminary plat, procedures. Section 18-61(2) of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-61(2) Preliminary plat, procedures

- a. The subdivider shall prepare and submit six copies of the preliminary plat on a topographic map to the Township Clerk as well as submit copies to approving authorities as provided for in sections 112 to 119 of the land division act (MCL 560.112-560.119) at least 10 days before the first meeting of the Planning Commission at which the preliminary plat is to be considered.
- b. The Township Clerk shall promptly transmit all copies of the preliminary plat to the Planning Commission.
- c. The Planning Commission shall not take action on a proposed plat without affording an opportunity for a public hearing thereon. A plat submitted to the Planning Commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time, and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the municipality. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.
- d. The Planning Commission shall review the preliminary plat and give its report and recommendation to the Township Board not more than 30 days after it was submitted to the Township Clerk, if a preapplication review meeting was conducted or 60 days after submission of the plat if the meeting was not conducted. This period may be extended by a written agreement between the subdivider and the Planning Commission. Any such written agreement shall contain a specific delineation of the time period in which the Township must act to either tentatively approve or disapprove the plat. A copy of any agreement reached by the Planning Commission and the subdivider with respect to an extension of time shall be transmitted to the Township Clerk. If no action is taken within such period, the Planning Commission shall be deemed to have recommended approval of the preliminary plat.
 1. If the preliminary plat does not meet all requirements, the Planning Commission shall notify the subdivider by letter indicating any additional information or changes required.
 2. If the preliminary plat does meet all requirements, the Planning Commission shall so inform the developer by letter.
- e. The Township Board, within 60 days after the preliminary plat was submitted to the Township Clerk, if a preapplication review meeting was conducted or 90 days from the date of filing if the meeting was not conducted (unless the time period for approval has been extended pursuant to subsection (2)d.) of this section, shall tentatively approve and note its approval on the copy of the preliminary plat to be returned to the subdivider or set forth in writing its reasons for rejection and the requirements that must be met for tentative approval.

1. The Township Board shall not review, approve or reject a preliminary plat until it has received a report and recommendation from the Planning Commission; provided, however, that the Township Board can act without a report and recommendation from the Planning Commission if the Planning Commission does not issue such a report and recommendation within 60 days or within such extended time period as may be agreed upon between the subdivider and the Planning Commission.
 2. Tentative approval shall confer upon the subdivider approval of lot sizes, lot orientation, and street layout for a period of one year from the date of tentative approval. Such tentative approval may be extended if applied for by the subdivider and granted by the Township Board in writing.
- f. For final approval of the preliminary plat, the subdivider shall submit a list of all of the approving authorities to the Township Clerk, certifying that the list shows all authorities as required by sections 112 to 119 of the land division act (MCL 560.112-560.119). The subdivider shall also submit all of the approved copies of the preliminary plat to the Township Clerk after all necessary approvals have been secured.
- g. The Township Board, after receipt of the necessary approval copies of the preliminary plat, shall consider and review the preliminary plat at its next meeting or within 20 days from the date of submission of the approved copies and approve the preliminary plat if the subdivider has met all conditions laid down for approval of the preliminary plat. The Township Clerk shall promptly notify the subdivider of approval or rejection in writing and, if rejected, will give the reasons.
1. Approval of a preliminary plat shall not constitute approval of the final plat, but rather that final plat approval shall be conditioned on all requirements being met.
 2. Final approval of the preliminary plat by the Township Board shall be for a period of two years from the date of its approval. The Township Board may extend the two-year period if applied for and granted in writing but only concerning the Township's own requirements.

Section 3. Final plats. Section 18-62 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-62. Final Plats

(1) Final plat requirements.

- a. Final plats shall be prepared and submitted as provided in the land division act.

- b. A written request for approval and the recording fee shall accompany all final plats.
- c. The subdivider shall submit proof of ownership of the land included in the final plat in the form of an abstract of title certified to a date on or after the proprietor's certificate, or a policy of title insurance currently in force.
- d. The Township may require such other information as shall be reasonably necessary to establish whether the proper parties have signed the plat.

(2) Final plat procedures.

- a. The subdivider shall submit the final plat with as-built and/or construction engineering plans or other data where required to the Township Clerk. The plat shall be accompanied by a letter of approval from the Ottawa County Health Department. The Township Clerk shall promptly transmit all copies of the plat and supporting documents to the Planning Commission.
- b. The Planning Commission shall examine the plat at its next regular meeting or within 30 days of receipt thereof for the plat's conformance to the provisions of the land division act, the provisions of this article, and the preliminary plat, as approved.
 - 1. The time for review and recommendations by the Planning Commission may be extended by a written agreement between the subdivider and the Planning Commission. Any such written agreement shall contain a specific delineation of the time period for which the Township must act either to tentatively approve or disapprove the plat. A copy of any agreement reached by the Planning Commission and the subdivider with respect to an extension of time should be given to the Township Clerk.
 - 2. If the Planning Commission recommends disapproval of the plat by the Township Board, it shall forward its written recommendation to the Township Board together with a written report of its review of the plat, which report shall detail the reasons for recommending this disapproval and the requirements recommended as prerequisites for approval.
 - 3. If the Planning Commission recommends approval of the plat by the Township Board, it shall forward its written recommendation to the Township Board together with a written report of its review of the plat.
- c. The Township Board shall review the final plat and the report from the

Planning Commission at its next regular meeting, or at a meeting to be called within 20 days of receipt from the Planning Commission.

1. The Township Board shall either approve or disapprove the plat. If disapproved, the Township Board shall give the subdivider its reasons in writing.
2. If the plat is approved, the Township Board shall instruct the Township Clerk to sign the municipal certificate on the approved plat on behalf of the Township Board.
3. Recording of the final plat shall have the effect of an irrevocable offer to dedicate all streets and other public ways, all park reservations, school sites, and other such areas to the public use unless a notation is placed in the plat by the subdivider stating there is no such offer of dedication of certain areas or ways.
4. Recording of the plat, however, shall not impose any duty upon the Township, county or other governmental unit concerning improvement or maintenance of any such dedicated or reserved area until the proper authorities have made actual appropriation of the same by legal action.

Section 4. Streets and roads, stub streets. Section 18-83(4) of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-83(4) Streets and roads, stub streets

Stub streets. Subject to the requirements of Section 18-89(2)b, where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall be extended to the boundary line of the tract to make provision for the future projection of streets into adjacent areas.

Section 5. Intersections. Section 18-84 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-84. Intersections.

- (1) Angle of intersection. Streets shall intersect at 90° or as closely thereto as practical. In no event shall the angle of intersection be less than 80°.
- (2) Sight triangles. Minimum clear sight distance at all minor street intersections shall permit vehicles to be visible to the driver of another vehicle when each is 125 feet from the center of the intersection. No fence, wall, embankment, structure, sign, or planting shall obstruct vision in this area.
- (3) Number of streets. No more than two streets shall cross at any one intersection.

- (4) "T" intersections. "T" type intersections shall be used where practical at intersections of minor streets with any street.
- (5) Centerline offsets. Slight jogs at intersections shall be eliminated where practical. Where such jogs cannot be practically avoided, street centerlines shall be offset by a distance of 125 feet or more.
- (6) Vertical alignment of intersection. A nearly flat grade with appropriate drainage slopes is required within intersections. This flat section shall be carried back a minimum of 50 feet each way from the intersection. An allowance of 2% minimum intersection grade in rolling and 4% in hilly terrain will be permitted.

Section 6. Pedestrian ways. Section 18-85 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-85. Pedestrian ways.

- (1) Crosswalks.
 - a. Right-of-way for pedestrian crosswalks in the middle of long blocks shall be provided where necessary to obtain convenient pedestrian circulation to schools, parks or shopping areas.
 - b. Such pedestrian right-of-way shall be at least 10 feet wide and extend entirely through the block.
- (2) Sidewalks. Sufficient right-of-way shall be provided so that sidewalks may be installed on both sides of all streets.

Section 7. Easements. Section 18-86 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-86. Easements.

- (1) Location. Easements shall be provided along front or rear lot lines for utilities and also along side lot lines when necessary. The total width shall not be less than six feet along each lot, or a total of 12 feet for adjoining lots except in the case of those lots included within the provisions of Section 18-88(6) hereafter.
- (2) Drainageway. The subdivider shall provide drainageway easements as required by the rules of the Ottawa County Drain Commissioner.

Section 8. Blocks. Section 18-87 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-87. Blocks.

- (1) Arrangements. A block shall be designed to provide two tiers of lots, except in those cases where lots back onto an arterial street, natural feature or subdivision boundary.
- (2) Minimum length. Blocks shall not be less than 500 feet long from center of street to center of street.
- (3) Maximum length. The maximum length allowed for residential blocks shall be 1,000 feet long from center of street to center of street.

Section 9. Lots. Section 18-88 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-88. Lots.

- (1) Conform to zoning. The lot width, depth, and area shall not be less than the particular district requirements of the zoning regulations in Chapter 38, as amended, except where outlots are provided for some permitted purpose.
- (2) Lot lines. Side lot lines shall be as close to right angles to straight streets and radial to curve streets as practical.
- (3) Width related to length. The depth of a lot shall not exceed three times the width as measured at the building line.
- (4) Corner lots. Corner lots shall have sufficient width so as to permit appropriate building setback from both streets or orientation to both streets. Lots abutting a pedestrian midblock crosswalk shall be treated as corner lots.
- (5) Uninhabitable areas. Lands subject to flooding or otherwise deemed by the Planning Commission to be uninhabitable shall not be platted for residential purposes, or for uses that may in the judgement of the Planning Commission increase the danger to health, life, or property or increase the flood hazard. Such land within a subdivision shall be set aside for other uses, such as parks or other open space.
- (6) Back-up-lots. Lots shall back into such features as freeways, arterial streets, shopping centers, or industrial properties, except where there is a marginal access street, or unless a secondary access is provided. Such lots shall contain a landscaped easement along the rear at least 20 feet wide in addition to the utility easement to restrict access to the arterial street to minimize noise and to protect outdoor living areas. Lots extending through a block and having frontage on two local streets shall be prohibited.
- (7) Lot frontage. All lots shall front upon a publicly dedicated street. Variances may be permitted for approved planned unit developments.

(8) Future arrangements. Where parcels of land are subdivided into unusually large lots, such as when large lots are required for septic tank operations, the parcels shall be divided, where feasible, so as to allow for resubdividing into smaller parcels in a logical fashion. Lot arrangements shall allow for the ultimate extension of adjacent streets through the middle of wide blocks. Whenever future resubdividing or lot splitting is to be undertaken, the plan therefor shall first be approved by the Planning Commission prior to submission to the Township Board for approval pursuant to subsection (9) of this section.

(9) Lot division.

- a. Prohibition of division. No lot, outlot or other parcel of land located in a recorded plat shall be further partitioned or divided unless such partition or division is first approved by the Township Board.
- b. Application for permission. Any proprietor who desires to partition or divide a lot, outlot or other parcel of land located in a recorded plat shall first make application to the Township Board in writing on such application form as shall be provided by the Township. Such application shall be filed with the Township Clerk and shall include a detailed statement of the reasons for the requested partition or division and a sketch map or maps prepared in scale showing the proposed division or partition and all adjoining lots, streets and parcels of land.
- c. Building permit. No building permit shall be issued to any proprietor or his agent or any other person, firm, association, or corporation with reference to the lot, outlot or other parcel of land which is to be divided unless the partition or division shall first have been approved by the Township Board.
- d. Division resulting in smaller area. A division or partition of a lot, outlot or other parcel of land which is not served by public sewer and public water systems and which results in the creation of a parcel containing a smaller area or width than is required by the land division act, may be approved by the Township Board, in its discretion, provided the parcel created by such division or partition which are smaller than said area and width requirements are contiguous with other lots or parcels owned by the proprietor which, when added to the parcels created by such division or partition, will comply with the area and width requirements of the land division act. If approval of any such division or partition is granted pursuant to this section, then the parcel established by the division or partition and the contiguous lot or parcel of land required to meet said area and width requirements shall be considered as one building lot and parcel for all purposes.
- e. Conditions. In granting its approval for any such requested division or partition, the

Township Board may condition its approval with such reasonable conditions as shall be deemed desirable by the Township Board and which are in accordance with the purposes of the land division act, as the same are embodied in its preamble.

- (10) Division of unplatted parcel. The division of an unplatted parcel of land into two, three, or four lots involving the dedication of a new street shall require the approval of the Township Board prior to taking such action. All such applications shall be made in writing and shall be accompanied by a drawing of the proposed division. The Township Board shall not approve such application nor shall a building or occupancy permit be issued in such cases until the subdivider has secured the approval of the Ottawa County Health Department and evidence of such approval submitted to the Township Board.

Section 10. Planting strips and reserve strips. Section 18-89 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-89. Planting strips and reserve strips.

- (1) Planting strips. Planting strips may be required to be placed next to incompatible features such as highways, railroads, commercial, or industrial uses where necessary or desirable to screen the view from residential properties. Such screens shall be a minimum of 20 feet wide, and shall not be a part of the normal roadway right-of-way or utility easement.
- (2) Reserve strips.
 - a. Private. Privately held reserve strips controlling access to streets shall be prohibited.
 - b. Public. A one-foot reserve shall be required to be placed at the end of stud or dead- end streets which terminate at subdivision boundaries and between half streets. These reserves shall be deeded in fee simple to the Ottawa County Road Commission for future street purposes.

Section 11. Public sites and open spaces. Section 18-90 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-90. Public sites and open spaces.

- (1) Public uses.
 - a. When a master plan has been adopted by the Township and a proposed park, playground, school or other public use shown on the master plan is located, in whole or in part, within a proposed subdivision, a suitable area for this purpose may be dedicated to the public or reserved for public purchase.

- b. The Township Board, may at its option, at a later date release any such reservation for public purchase on a showing that the lands in question are no longer needed or required for the public purpose indicated by the master plan.

- (2) Natural features. Existing natural features which add value to residential development and enhance the attractiveness of the community, such as trees, watercourses, historic spots, and similar irreplaceable assets, shall be preserved, insofar as possible, in the design of the subdivision.

Section 12. Large scale developments. Section 18-91 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-91. Large scale developments.

- (1) Modification. This chapter may be modified in accordance with Division 5 of this article in the case of a subdivision large enough to constitute a complete community or neighborhood, consistent with the master plan which provides and dedicates adequate public open space and improvements of the circulation, recreation, education, light, air, and service needs of the tract when fully developed and populated.
- (2) Neighborhood characteristics. A community or neighborhood under this provision shall generally be consistent with the master plan and contain 500 living units or more, contain or be bounded by major streets or natural physical barriers as necessary, and shall contain reserved areas of sufficient size to serve its population, for schools, playgrounds, parks, and other public facilities. Such reserves may be dedicated.

Section 13. Required improvements, Sidewalks and crosswalks. Section 18-116(10)b of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-116. Required improvements.

(10) Sidewalks and crosswalks

- b. Crosswalks, when required by Section 18-85(1), shall have easements at least 10 feet in width and include a paved walk at least five feet in width, located generally along the centerline of the easement, dedicated as a public pedestrian walkway.

Section 14. Required improvements, Street trees. Section 18-116(13) of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-116. Required improvements.

(13) Street trees.

Street trees shall be provided at a minimum as follows:

- a. The planting stock, size and species of all street trees shall be in accordance with the Ottawa County Road Commission Tree Planting Guidelines.
- b. All street trees shall be located on each side of the street and shall be centered between the back edge of the curb and the sidewalk.
- c. A minimum of one (1) tree shall be planted for every fifty (50) feet of frontage along each side of the street. There shall be a minimum of one (1) tree per interior lot and at least two (2) trees shall be provided for a corner lot.
- d. A waiver of the number of trees required may be granted by the Township Board, upon the recommendation of the Zoning Administrator and the Planning Commission. Such waiver shall be granted only if there are trees already growing on a lot which comply with these regulations and are located such that they will not be in danger of damage or destruction due to construction activity.

Section 15. Guarantee of completion of improvements required by the township. Section 18-118 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-118. Guarantee of completion of improvements required by the Township.

- (1) Guarantee arrangements; exceptions. The construction of all improvements required by this article shall be completed by the subdivider and approved by the Township Board prior to final plat approval. In lieu of the actual installation and approval of all public improvements required by this article prior to final plat approval, the Township Board may, in its discretion, for those requirements which are over and beyond the requirements of the Ottawa County Road Commission, Ottawa County Drain Commissioner, or any other agency responsible for the administration, operation and maintenance of the applicable public improvement, permit the subdivider to guarantee completion of such required improvements in one or a combination of the following arrangements. In each instance where the subdivider is to guarantee completion of required improvements, the Township and the subdivider shall enter into a written agreement specifying in detail the nature of the required improvements, the time in which these improvements are to be completed, provisions for checking or inspecting the construction of each such improvement to determine its conformity to the submitted construction plans and specifications, and the nature of the financial guarantee of performance which is to be provided by the

subdivider for each such improvement. The Township Board may, on recommendation from the Planning Commission, waive financial guarantees of the completion of required improvements in the case of sidewalks, street lights, or street trees.

(2) Financial guarantees. Financial guarantees shall be provided as follows:

a. Performance or surety bond.

1. Accrual. The bond shall accrue to the Township and shall cover the full cost of constructing and installing the specific public improvement and, where applicable, placing the specific public improvement in operation.
2. Amount. The bond shall be in an amount equal to the total estimated cost for completing construction and installation of the specific public improvement, including contingencies, as estimated by the Township Board, as well as, where applicable, the total estimate of the cost of placing the specific public improvement in operation, including contingencies, as estimated by the Township Board.
3. Term length. The term of the bond shall be for such period as shall be specified by the Township Board.
4. Bonding or surety company. The bond shall be written by a surety company authorized to do business in the state acceptable to the Township Board.

b. Cash deposit, certified check, negotiable bond, or irrevocable bank letter of credit.

1. Treasurer, escrow agent or trust company. A cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit, such bond or letter of credit to be approved by the Township Board, shall be deposited with the Township. Such deposit shall be made pursuant to a written escrow agreement between the subdivider and the Township. The escrow agreement may provide that the deposit will be held by the Township treasurer or, in the alternative, subject to approval by the Township Board, that the deposit be held by a state or national banking corporation.
2. Dollar value. The cash deposit, certified check, negotiable bond, or irrevocable bank letter of credit shall be in an amount equal to the total estimated cost of construction and installation of the specified public improvement including contingencies, as

estimated by the Township Board.

3. Term. The deposit shall be retained by the Township Board for a period to be specified by the Township Board.

c. The agreement between the Township and the subdivider may provide that the amount of the bond provided pursuant to subsection (2)a. of this section or the deposit provided pursuant to subsection (2)b. of this section be progressively reduced as the specified public improvement is completed.

(3) Penalty in case of failure to complete the construction of a public improvement. In the event the subdivider shall, in any case, fail to complete a public improvement within the period of time specified in his agreement with the Township for the completion of said public improvement, the Township Board may, at its option, proceed to have the public improvement completed. The agreement between the subdivider and the Township shall provide that all costs and expenses incurred by the Township in completing the public improvement shall be reimbursed from the bond or deposit provided pursuant to subsection (2)a. or (2)b. of this section.

Section 16. Procedures. Section 18-150 of the Land Divisions and Subdivisions Ordinance shall be amended to state in its entirety as follows.

Sec. 18-150. Procedures.

(1) The Township Board may, upon written application from the subdivider and after receipt of a recommendation from the Planning Commission, grant a variance from the provisions or requirements of this article. A public hearing shall be held by the Planning Commission prior to making its recommendation to the Township Board. Notice of this hearing shall be given in the same manner as is provided in the Michigan zoning enabling act, Public Act No. 110 of 2006 (MCL 125.3101 et seq.), with respect to the adoption or amendment of a Township zoning ordinance. No variance shall be recommended by the Planning Commission or granted by the Township Board unless there is a finding:

a. That there are such special circumstances or conditions affecting the property in question such that strict application of the provisions or requirements of this article would clearly be impracticable or unreasonable.

b. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the subdivision is situated.

c. That the variance will not violate the provisions of the land division act.

d. That the variance will not have the effect of nullifying the interest and purpose of this article and the master plan.

(2) After the completion of the public hearing, the Planning Commission shall make a written recommendation to the Township Board which shall include its findings and specific reasons for its recommendation. On receipt of such written recommendation, the Township Board shall act to either grant or deny the variance.

Section 17. Severability. This Ordinance and its various parts are hereby declared to be severable. If any portion of this Ordinance is declared to be invalid such declaration shall not affect the validity of the remainder of this Ordinance.

Section 18. Effective Date. This amendment to the Park Township Zoning Ordinance was approved and adopted by the Township Board of Park Township, Ottawa County, Michigan on _____, 2018, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on _____, 2018, which date is the eighth day after publication of the Zoning Text Amendment Ordinance in the _____ as required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Gerald Hunsburger
Township Supervisor

Skip Keeter
Township Clerk

CERTIFICATE

I, Skip Keeter, the Clerk for the Township of Park, Ottawa County, Michigan, certify that the foregoing Park Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2018. The following members of the Township Board were present at that meeting:

_____. The following members of the Township Board were absent:

_____.

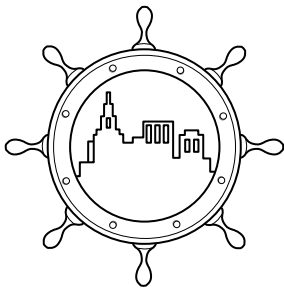
The Ordinance was adopted by the Township Board with members of the Board _____

voting in favor and members of the Board _____

_____ voting in opposition. Notice of Adoption of the

Ordinance was published in the _____ on _____, 2018.

Skip Keeter, Township Clerk



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MEMORANDUM

To: Park Township Planning Commission
From: Gregory L. Ransford, MPA
Date: December 4, 2018
Re: Proposed 2019 Planning Commission Meeting Schedule

As you know, during December of each year it is appropriate to set your meeting schedule for the following year. Given this, below are proposed meeting dates for the Planning Commission during the 2019 calendar year. All meeting dates occur on a Wednesday.

- January 9, 2019
- February 13, 2019
- March 13, 2019
- April 10, 2019
- May 8, 2019
- June 12, 2019
- July 10, 2019
- August 14, 2019
- September 11, 2019
- October 9, 2019
- November 13, 2019
- December 11, 2019

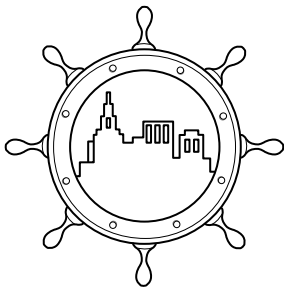
Planning Commission Action

The Planning Commission should adopt the 2019 meeting schedule as proposed or revise and adopt the 2019 meeting schedule.

The proposed meeting dates have been scheduled for your review at your December 12, 2018 meeting. If you have any questions, please let us know.

GLR
Planner

cc: Howard Fink, Manager



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MEMORANDUM

To: Park Township Planning Commission
From: Gregory L. Ransford, MPA
Date: December 4, 2018
Re: Holland Charter Township Master Plan Amendment

Pursuant to your direction at your November 14, 2018 meeting, we reviewed the proposed amendment to the Holland Charter Township Master Plan. In short, the amendment is merely a modification to the Master Plan Map and does not appear to have any impact on Park Township given its location. As a result, unless the Planning Commission objects, we do not believe it is necessary for Park Township return correspondence regarding the same.

If you have any questions, please let us know.

GLR
Planner

cc: Howard Fink, Manager