

ALPINE TOWNSHIP

**LAND SUBDIVISION
AND
UTILITY EXTENSION ORDINANCE**

ORDINANCE NO. 89-10

**As Amended April 17, 1989
As Amended February 19, 2001
(Ordinance #01-03)**



**Alpine Township
County of Kent
State of Michigan**

LAND SUBDIVISION AND UTILITY EXTENSION ORDINANCE

TABLE OF CONTENTS

	Page
ARTICLE I - TITLE, PURPOSE, AND SERVICE AREAS	1
Section 1.1 Short Title	1
Section 1.2 Interpretation	1
Section 1.3 Purpose	1
Section 1.4 Applicability	2
ARTICLE II - DEFINITIONS	3
Section 2.1 Definitions	3
ARTICLE III - LOT SPLITS	5
Section 3.1 Sketch Plat for Lot Splits	5
ARTICLE IV - PROCEDURES	6
Section 4.1 Approvals	6
Section 4.2 Preplat Discussion	6
Section 4.3 Preliminary Plats	7
Section 4.4 Preliminary Plat Requirements	7
Section 4.5 Submission of Preliminary Plats	7
Section 4.6 Planning Commission Review	8
Section 4.7 Township Board Step I Review, Preliminary Plat	9
Section 4.9 Final Plat Approval	10
Section 4.10 Building and Sales	11
ARTICLE V - PLAT DETAILS	13
Section 5.1 Preliminary Plat	13
Section 5.2 Final Plat	14
ARTICLE VI - REQUIRED IMPROVEMENTS IN SUBDIVISIONS	15
Section 6.1	15
Section 6.2 Variations in Subdivisions	16
Section 6.3 Cost Distribution of Oversized Improvements	16

TABLE OF CONTENTS
(Continued)

	Page
ARTIVLE VII - GENERAL PROVISIONS FOR ALL SUBDIVISIONS	17
Section 7.1 Master Plan	17
Section 7.2 Streets	17
Section 7.3 Lots	18
Section 7.4 Block Lengths	18
Section 7.5 Public Easements	18
Section 7.6 Public Sites and Open Spaces	18
Section 7.7 Business and Industrial Subdivisions	19
Section 7.8 Performance Guarantees	19
Section 7.9 Law	19
Section 7.10 Inspection and Specifications	19
ARTICLE VIII - GROUNDS AND PROCEDURES FOR A VARIANCE	20
Section 8.1 Grounds for a Variance	20
Section 8.2 Procedure for a Variance	20
ARTICLE IX - VALIDITY, ADMINISTRATION, AND ENFORCEMENT	21
Section 9.1 Administration	21
Section 9.2 Validity	21
Section 9.3 Enforcement	21
Section 9.4 Effective Date	21
ARTICLE X - ADOPTION	22

PUBLIC NOTICE

At regular meeting of the Alpine Township Board, held on the 17th day of April, 1989, the following Ordinance was adopted:

ORDINANCE NO. 89-10

*An Ordinance to adopt the Land Subdivision and
Utility extension Ordinance of Alpine Township*

LAND SUBDIVISION AND UTILITY EXTENSION ORDINANCE

Alpine Township, Kent County, Michigan, does ordain as follows:

ARTICLE I TITLE, PURPOSE, AND SERVICE AREAS

SECTION 1.1 SHORT TITLE. This Ordinance shall be known as the "Land Subdivision and Utility Extension Ordinance" of the Township of Alpine

SECTION 1.2 INTERPRETATION. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of public health, safety, convenience, and general welfare. It shall be administered to insure orderly growth and development, to protect, and conserve land and natural features, and adequately provide for streets, utilities, and other land improvements in the Township.

SECTION 1.3 PURPOSE. This Ordinance is adopted to regulate the subdivision of land to accomplish the following purposes:

- (a) To carry out the purpose and intent of the Subdivision Control Act of 1967, PA 1967, No. 288 (MCLA 560.10), as amended.
- (b) To further the orderly layout and development of the Township
- (c) To provide for and regulate the economical provision or extension of utility services, streets, and other necessary land improvements.
- (d) To require that land be suitable and suitably improves for building sites.
- (e) To provide for adequate drainage.

- (f) To prevent the premature development of land; to provide for proper ingress and egress to lots.
- (g) To promote proper surveying, monuments, and legal descriptions.
- (h) To provide for safe and convenient traffic circulation and traffic movement.
- (i) To insure against the creation of unsafe or undesirable conditions.
- (j) To conserve the value of property.
- (k) To regulate the density of development in relation to utility services for the protection of the public health.
- (l) To conserve energy and natural features.
- (m) To carry out the purpose and intent of the Township Master Plan and Zoning Ordinance.
- (n) To establish rules and procedures for the process of subdivision under said act.
- (o) To provide for the adoption of improvement standards.
- (p) To provide penalties for the violation of this Ordinance.
- (q) To provide for the variation of these rules and requirements.

SECTION 1.4 APPLICABILITY. This Ordinance shall not apply to land divisions resulting in parcels or lots which are more than ten (10) acres in area.

ARTICLE II DEFINITIONS

SECTION 2.1 DEFINITIONS. For the purposes of this Ordinance, terms shall be defined as set forth in the Subdivision Control Act of 1967 and as defined herein:

BOARD: The Alpine Township Board.

COMMISSION: The Alpine Township Planning Commission

LOT SPLIT:

- (a) The combination of existing lots in a recorded plat into one (1) parcel;
- (b) The alteration of an existing lot line(s) in a recorded plat which does not change the number of lots;
- (c) The elimination of one (1) existing lot within a recorded plat combining it with not one more than four (4) immediately adjacent lots. Adjacent shall not include lots separated by any road right-of-way or easement or unplatted lots.

The term "lot split" shall not include the creation of new parcels of more than ten (10) acres, or the creation of parcels defined as a subdivision.

OUTLOT: A lot in a recorded plat which is set aside for purposes other than a building site, park, or other land dedicated to public or reserved to private use.

PLAT: A map or chart of a subdivision of land.

- (a) **Preliminary Plat:** A map showing the salient features of a proposed subdivision to an approving authority for the purposes of preliminary consideration and approval.
- (b) **Final Plat:** A map and accompanying material showing or explaining the salient features of a proposed subdivision to an approving authority for the purposes of final consideration and approval.

PROPRIETOR: A natural person, firm, association, partnership, corporation, or combination of any of them which may hold any ownership interest in land whether recorded or not.

STREET:

- (a) Expressway: A street designed to move traffic to and from major thoroughfare, arterials and traffic generators and designated as such on the General Development Plan, as amended, intended to serve high volume traffic movements within the Township.
- (b) Major Arterial: A street designated as such on the Thoroughfare Plan of the General Development Plan, as amended, intended to connect principal traffic generation to sections of the township and to the freeway system.
- (c) Secondary Arterial: A street designated by the Thoroughfare Plan of the General Development Plan to provide connecting link between major system and local streets within a neighborhood.
- (d) Local Street: A local street intended primarily to serve adjacent individual properties.

SUBDIVISION OF SUBDIVIDE: The partitioning or dividing of a parcel of 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, where the act of division created five (5) or more parcels of land, each of which is ten (10) acres or less in area; or five (5) or more parcels of land, each of which is ten (10) acres or less in area, are created by successive divisions within a period of ten (10) years.

SUBDIVISION CONTROL ACT: Public Act No. 288, the Subdivision Control Act of 1967, as amended.

TOWNSHIP: Alpine Township, Kent County, Michigan.

ARTICLE III LOT SPLITS

SECTION 3.1 SKETCH PLAT FOR LOT SPLITS. Before a Lot Split shall be effected by any owner of land or his agent, four (4) copies or prints of a Sketch Plat of the proposed subdivision shall be submitted to the Building Inspector for approval. The following procedures shall be followed:

- (a) Said Sketch Plat shall be drawn to scale and shall show the original parcel of land, of which such lot in question is a part, in full, the lot to be created, any building located on or within forty (40) feet of such new lot(s), and the names of the owner and the owners of all adjoining land. Dimensions to the nearest foot shall be showing on all lot lines and existing buildings and the distances between buildings and lot lines shall be shown.
- (b) The resulting lot or lots of any lot splits shall comply with all the original requirements for lots within the plat as provided by this ordinance and any other township ordinances.
- (c) The Building Inspector shall review the proposed Lot Split and determine if it complies with the provisions of this Ordinance and of the Zoning Ordinance. He shall approve the subdivision and shall certify such approval and the date thereof by signing said copies of the Sketch Plat. The Building Inspector shall forward one approved copy to the Supervisor and return one signed copy to the owner or his agent.

ARTICLE IV PROCEDURES

SECTION 4.1 APPROVALS. The following procedure must be completed in order for a subdivision to receive approval by the Township:

Preliminary Plat approval by the Planning Commission.

Preliminary Plat approval by the Township Board – Step I.

Preliminary Plat approval by the Township Board – Step II.

Final Plat approval by the Township Board.

SECTION 4.2 PREPLAT DISCUSSION. Prior to the preparation of the preliminary plat, there should take place a preplat discussion meeting between the proprietor and the Planning Commission of a proprietor's intent to initiate a subdivision. On or before this meeting, the proprietor should submit the following to the Commission:

- (a) Several copies of a sketch, to scale, indicating the general location and configuration of the property to be subdivided; the alignment of streets and lots; and the relationship of the proposed plat to adjacent streets and neighboring properties.
- (b) A statement regarding the purpose of sewer and water supply.

During the preplat discussion meeting, it shall be the responsibility of the Planning Commission, based on the information available, to inform the proprietor about the following:

- (c) General requirements of this Ordinance and the Zoning Ordinance.
- (d) Planned or anticipated sites of parks and recreation areas or other public uses.
- (e) Utility system capabilities.
- (f) Planned or anticipated public improvements, including streets, utility extensions, and the like.
- (g) Major street plans and potential problems relative to the natural features of the area including, but not limited to, floodplains, soil conditions, topography, and groundwater tables.

- (h) Additional information which will assist the proprietor in proceeding in a reasonable and sound manner toward a Final Plat Approval.

Preplat discussions are intended for information purposes only and do not constitute binding commitments on the part of the Township. Neither do they imply tentative approval of any subsequent preliminary plat. Furthermore, such discussions shall not carry the authority to proceed with construction or to sell or transfer property.

In the event the proprietor does not elect to undertake preplat discussions with the Planning Commission, the proprietor is encouraged to contact the Township Supervisor, Building Inspector, or other Township officials prior to initiating a preliminary plat for the purposes of discussing the items listed in Section 4.2 above.

SECTION 4.3 PRELIMINARY PLATS. The Preliminary Plat approval procedure is intended to assure the Township that the proprietor is proceeding towards a Final Plat which will conform to all applicable regulations and be acceptable to the Township and other approving agencies. Approval of the Preliminary Plat by the Township shall not relieve the proprietor from obtaining the necessary approvals from other agencies having jurisdiction over other aspects of the plat.

SECTION 4.4 PRELIMINARY PLAT REQUIREMENTS. Preliminary Plats shall be prepared in accord with Sections 111 through 120 of the Subdivision Control Act, as amended, and Article 5 of this Ordinance. Preliminary Plats prepared for Planning Commission review and Step I approval by the Township Board shall include or be accompanied by items of Article 5.1. In addition to the review required in Section 4.5, the proprietor or his agent shall submit copies of the Preliminary Plat to the appropriate agencies as required in Sections 113 through 119 of the Subdivision Control Act, as amended.

SECTION 4.5 SUBMISSION OF PRELIMINARY PLATS.

(a) Preliminary Plats shall be submitted to the Township Clerk at least three weeks prior to the next regular meeting of the Planning Commission. The following procedure shall be followed:

- (1) Submit seven (7) copies of the Preliminary Plat to the Township Clerk.
- (2) Submit to the Township an application fee of one-thousand (\$1,000.00) and an escrow fee of one-thousand (\$1,000.00).
- (3) The Township Clerk shall retain one (1) copy of the Preliminary Plat, and, within seven (7) days from submission, forward two (2) copies to the Supervisor and five (5) copies to the Secretary for the Planning Commission.

(b) State law requires that within ninety (90) days from the date of submission, the Township Board shall act upon the Preliminary Plat. In order to accomplish the necessary review within this time period, the proprietor or his agent is encouraged to be present at all meetings of the Planning Commission and the Township Board at which the plat will be reviewed. The plat shall be reviewed by the Supervisor, Planner, and the Engineers, who shall report to the Planning Commission on any suggestions or recommendations.

SECTION 4.6 PLANNING COMMISSION REVIEW. The Secretary of the Planning Commission shall notify by mail all the members of the Planning Commission and the proprietor that a meeting will take place at a specified time on the property proposed to be subdivided. The Secretary shall also give such notice of the special meeting as is required by the Open Meetings Act. Said special meeting shall be as far as possible on the same day as the regular meeting. The Planning Commission shall give particular attention to the requirements of Article V of this Ordinance. If the Preliminary Plat meets the requirements of this Ordinance, the Planning Commission shall forward one (1) copy of the Preliminary Plat along with a notation indicating Preliminary Approval and any recommendations to the Township Board for Step I Approval.

If the plat does not meet the requirements of the ordinance, the Planning commission shall:

- (a) Deny Preliminary Plat approval, setting forth the reasons in writing, or
- (b) Grant Preliminary Plat approval contingent upon completion of the revisions as noted.

The Secretary of the Planning Commission shall forward one (1) copy of the Preliminary Plat along with the planning Commission's recommendations to the applicant and one (1) copy to the Township Board.

SECTION 4.7 TOWNSHIP BOARD STEP I REVIEW, PRELIMINARY PLAT. After receipt of the Preliminary Plat and recommendations from the Planning Commission, the Township Board shall consider the Preliminary Plat and its next meeting, or within twenty (20) days from the date of receipt from the planning Commission.

- (a) The Township Board shall consider the Preliminary Plat along with the recommendations of the planning Commission and Supervisor. If the plat meets the Preliminary Plat requirements of the Ordinance, the Board shall grant Step I Preliminary Plat approval. The Township Clerk shall sign the plat with the notation that it had received Step I approval and the proprietor shall be so notified. Step I approval shall give the proprietor the following rights for a one (1) year period from the date of approval:
 - (1) That the general terms and conditions under which Step I approval was granted will not be changed by the Township.

- (2) That the lot sizes, lot orientation, and street layouts have been approved.
 - (3) That Step I approval may be extended if applied for by the proprietor prior to the one (1) year expiration date and granted by the Township Board in writing.
- (b) If the Preliminary Plat substantially meets the requirements of this Ordinance, the Township Board may grant tentative approval of Step I, such approval being conditioned upon the submission of such changes, revisions or additional material as is determines to be necessary to complete Step I. Upon the submission of such changes, revisions, or additional material, the Preliminary Plat shall be granted unconditional Step I approval and the proprietor shall be so notified.
- (c) If the Preliminary Plat does not meet the requirements of this Ordinance, the Township Board shall deny Step I approval and so notify the proprietor along with the reasons therefore.

SECTION 4.8 TOWNSHIP BOARD STEP II REVIEW, PRELIMINARY PLAT.

- (a) After the Township Board has granted Step I approval, the proprietor shall submit two (2) copies of the Preliminary Plat to the Township Board for Step II review. Step II review shall, after filing, take place at the next Township Board meeting or within twenty (20) days of filing. The proprietor shall also submit the following:
- (1) A lost of all reviewing authorities certifying that the lost shows all authorities as required by Sections 112 to 119 of the Subdivision Control Act, as amended.
 - (2) A copy of each review of subdivision site report by the above noted authorities after their approval has been secured.
 - (3) A copy of any proposed or required deed restrictions or covenants.
 - (4) A copy of a preliminary draft of any special agreements which may be required before the Final Plat approval is granted.
- (b) The Township Boars shall consider the Preliminary Plat and the above noted material and, if found to be in compliance with the terms of this Ordinance, shall grant Step II approval. Step II approval shall give the proprietor the following rights for a period of two (2) years from the date of approval:
- (1) That the general terms and conditions under which Step II approval was granted will not be changed and the proprietor may proceed with the installation of required improvements.

- (2) That the proprietor may submit all or parts of the Step II approved Preliminary Plat as a Final Plat in accordance with the Subdivision Control Act, as amended, and this Ordinance.

The two (2) year period may be extended if applied for by the proprietor and granted by the township in writing. Written notice of the extension shall be sent by the Township Clerk to the other approving authorities.

- (c) If the Preliminary Plat substantially meets the requirements of the Ordinance, this Township Board may grant tentative approval of Step II, such approval being conditioned upon the submission of such changed, revisions, or additional materials as is determined to be necessary to complete Step II. Upon the submission of such changes, revisions, or additional material, the Preliminary Plat shall be granted unconditional Step II approval and the proprietor shall be so notified. Upon the Conditions having been met, Final Step II approval shall be given. Final Step II Preliminary plat approval shall also be noted on the copy of the Preliminary Plat to be returned to the proprietor.
- (d) If the Preliminary Plat does not meet the requirements of this Ordinance, the Township Board shall deny Step II approval and so notify the proprietor along with the reasons therefore.
- (e) Installation of all plat improvements authorized by Step II approval shall be in accord with the requirement of the appropriate agency of utility having jurisdiction. The following have jurisdiction in Alpine township:

Kent County Road Commission – streets, sidewalks, storm sewers
Kent County Drain Commission – drains and drainage from the plat
Kent County Department of Public Works – sanitary sewer and water main
Consumers Energy Company – electrical and street lights
Michigan Bell Telephone Company – telephone
Michigan Consolidated Gas Company - gas

SECTION 4.9 FINAL PLAT APPROVAL. Within two (2) years from the date of Step II approval of the Preliminary Plat, the proprietor shall prepare and submit a Final Plat containing all the certificated, signatures, and specifications required by the Subdivision Control Act.

- (a) After the signature of the surveyor, proprietor, County Treasurer, Township Treasurer (if necessary), County Drain Commissioners, and the County Road Commission are obtained, the proprietor shall submit the Final Plat to the Township Clerk at least two (2) weeks prior to the next regular meeting of the Township Board. The proprietor shall also submit the following:

- (1) A twenty (\$20.00) dollar filling and recording fee as required in section 241 of the Subdivision Control Act together with a Township fee of one (\$1.00) dollar for each lot in the Final Plat.
 - (2) One (1) copy of as-built plans of all completed improvements.
 - (3) All final agreements and deed restrictions.
 - (4) Letters of approval from all applicable agencies or utilities listed in 4.8(4) stating that improvements have been properly installed and inspected, and the inspection fees paid, or that performance bonds or other similar surety have been submitted for uncompleted improvements.
- (b) The Clerk shall review the Final Plat and associated material for compliance with all requirements of Section 4.8 Township Board Step I Review Preliminary Plat.
 - (c) If all submissions are found acceptable, the Clerk shall submit the same to the Township Board at its next regular meeting for approval.
 - (d) The Board shall approve or reject said Final Plat and associated material, and if approved, shall instruct the Clerk to certify such approval together with the date thereof. When required, the Clerk shall also certify upon the Final Plat the approval and date of Health Department approval on the approved Preliminary Plat.
 - (e) The Clerk shall thereupon promptly forward all copies of the Final Plat to the Clerk of the County Plat Board together with the twenty (\$20.00) dollar filing and recording fee.
 - (f) When the Final Plat is returned by the State Treasurer with a certification of approval, the Final Plat shall be recorded as a plat of record.
 - (g) If the Final Plat and associated material are not found acceptable, the Clerk shall so notify the proprietor who shall arrange for correction, modification, or additional guarantees to satisfy the requirements of this Ordinance.

SECTION 4.10 BUILDINGS AND SALES. Until recorded as a plat of record, a property is unsubdivided. No more than one (1) principle building may be constructed on such parcel, except that where streets and other improvements have been installed in accordance with the Step II Approved Preliminary Plat, such streets shall be deemed to have subdivided the plat into blocks; and one principle building may be constructed upon each block so formed. Sale of any lot or portion of said parcel, unless by an entire block, shall not be made until approval of the Final Plat.

- (a) Where a proprietor desires to construct additional buildings before improvements are completed and before the Final Plat is approved by the Township, he shall submit proof of Performance Guarantees to the Township Board for approval. Said Performance Guarantee shall cover the entire cost of installing improvements plus an amount sufficient to pay all inspection costs. The Performance Guarantee shall be in proper form, issued by an approved surety, and have specific time limit noted.
- (b) Regardless of the above stipulations on buildings, the Township Board may restrict building on uncompleted plats if in its opinion premature construction would not be in the best interests of the Township.
- (c) The Building Inspector shall not be authorized to issue any Building Permits in an unrecorded plat unless otherwise authorized by the Township Board under these provisions.

ARTICLE V PLAT DETAILS

SECTION 5.1 PRELIMINARY PLAT. The preliminary Plat shall be designed in accordance with the provisions of Articles VI, VII, and VIII, the requirements of the Subdivision Control Act and, where applicable, the requirements of the County Health Department, the Drain Commission, the County Road Commission, the Department of Natural resources, the Department of State Highways and Transportation, and the Water Resources Commission. The Preliminary Plat shall be drawn at a scale of not more than one hundred (100) feet to the inch and shall include or be accompanied by the following information:

- (a) The name of the plat; the name and address of the proprietor; the name, address, and seal of the surveyor; and a description of the property to be subdivided.
- (b) A key map showing the location and position of the property and its relationship to surrounding streets and the surrounding area, including existing zoning of abutting areas.
- (c) North arrow, scale, contour interval, and legend when appropriate.
- (d) Contour elevations adjusted to USGS datum at not more than five (5) foot intervals.
- (e) Where appropriate, established floodplain contours and elevations adjusted to USGS datum.
- (f) Location of all existing streets, lots, plats, public utilities, drains, streams, or bodies of water on/or abutting the property.
- (g) The outlines, intended layout, and intended use of the entire property owned or represented by the proprietor. The following shall be included:
 - (1) Street and stub street right-of-way: location, width, and curve radii.
 - (2) Proposed street names.
 - (3) Lot lines, lot line dimensions to the nearest foot. Lot and block numbers, and lot areas to the nearest one hundred (100) square feet.
- (h) The location and dimensions of all existing or proposed easements or reserve strips, including electrical and telephone easements.

- (i) The locations and tentative sizes of proposed sanitary sewers, storm sewers, and catch basins, water mains, culverts, bridges, ponding area, ponds, lagoons, slips, waterways, lakes, bays, and canals.
- (j) Statements regarding:
 - (1) Intent to hook up to public sanitary sewage facilities.
 - (2) Intent to utilize private water.
 - (3) Zoning and lot size requirements
 - (4) Zoning requirements for front, side, and rear yard.
 - (5) Size and type of street in accord with Kent County Road Commission standards.
 - (6) Intent to install gas, sidewalks, street lights, and shade trees.
 - (7) Use of waterways, rivers, streams, creeks, lakes, or ponds.
- (k) Copy of any proposed or required deed restrictions or covenants.
- (l) Copies of reviews and approvals and, where necessary, Subdivision Site reports from:
 - (1) Kent County Road Commission.
 - (2) Kent County Drain Commission.
 - (3) Michigan Department of State Highways and Transportation.
 - (4) Michigan Department of Natural Resources.
 - (5) Michigan Water Resources Commission.
 - (6) Kent County Health Department.

SECTION 5.2 FINAL PLAT. The Final Plat shall be prepared as required by the Subdivision Control Act, as amended, and submitted to the Township Clerk in accord with Article 4.9.

The Final Plat shall also be accompanied by or show the following additional information:

- (a) One (1) set of approved as-built or final construction plans for all required improvements to be kept on file by the Township.
- (b) One (1) copy of the final deed restrictions or restrictive covenants
- (c) Deeds to any properties to be dedicated to the Township.
- (d) Performance or installation agreements for any improvements not controlled or regulated by other agencies, such as sidewalks, street lights, or shade trees.
- (e) One (1) copy of any financing arrangements between the Township and the proprietor for the installation of required improvements.

ARTICLE VI REQUIRED IMPROVEMENTS IN SUBDIVISIONS

SECTION 6.1. Prior to the granting of Final Plat Approval, the proprietor shall have installed, or have approved plans and agreements for the installation of, the following improvements:

- (a) **STREETS:** A paved street conforming to the Kent County Road Commission Construction Standards.
- (b) **RIGHTS-OF-WAY:** All rights-of-way and easements shall be grades across their entire width and length.
- (c) **WATER:** A public water supply of a size specified by the Township Engineer connected to an existing public system and available at the property line of each lot within the subdivision, together with fire hydrants of a kind approved by the Township Fire Chief in locations specified by the Township when the plat is within five hundred (500) feet of an existing public water line.
- (d) **SEWERS AND DRAINAGE:** Public sanitary sewers connected to an existing public system and available at the property line of each lot within the subdivision, culverts, catch basins, and storm sewers of a size specified by the Kent County Road Commission and outletting from the subdivision in a method, and to a drainage system, approved by the Kent County Drain Commissioner.
- (e) **ELECTRIC AND TELEPHONE CONDUITS:** Underground electrical and telephone conduits together with connection terminals available at each lot.
- (f) **STREET LIGHTS:** Street lights of a design and location approved by the Township and Consumers Power Company.
- (g) **GAS SERVICE:** Where available, gas distribution lines beneath the street prior to the paving and curbing of any street, at locations adequate to serve each lot by connections thereto without the further installation of gas lines beneath such streets.
- (h) **SIDEWALKS:** Five (5) foot wide sidewalks along all streets and where needed to serve public uses and the convenience and safety of the public as determined by the Planning Commission.
- (i) **TOPSOIL:** Topsoil moved during the course of construction shall be redistributed to where it was obtained. No topsoil may be used as fill in the plat or elsewhere but that

amount of topsoil that after redistribution from where it was obtained that would render the site from where obtained with the excess of four (4) inches of topsoil may be removed provided it is used as topsoil elsewhere.

- (j) **MONUMENTS:** Monuments shall conform to the Subdivision Control Act of 1967, as amended.
- (k) **STREET SIGNS:** Street signs shall be placed at all intersections within or abutting the subdivision. The name, type, and location shall be specified or approved by the Kent County Road Commission.

SECTION 6.2 VARIATIONS IN SUBDIVISIONS. The following provision may be waived by the Planning Commission upon request of the proprietor during the Preliminary Plat review stage:

- (a) Where an existing metes and bounds parcel is being incorporated into a subdivision, the width, depth, and area requirements of this Ordinance may be waived for the specific parcel if the Planning Commission determines it will not have a detrimental effect on the subdivision.

SECTION 6.3 COST DISTRIBUTION OF OVERSIZED IMPROVEMENTS. Where the Township requires that a given improvement be increased in size, length, or depth to meet the needs of other areas, arrangements shall be made with the Township or its agent prior to installation, or prior to approval of, a Final Plat for the additional costs thereof.

Township funds for permanent investment in these improvements are limited, and nothing contained herein shall serve to obligate the Township for these costs. The extension of utilities of improvements smaller than required to meet the needs of an entire area is prohibited.

ARTICLE VII GENERAL PROVISIONS FOR ALL SUBDIVISIONS

SECTION 7.1 MASTER PLAN. All subdivisions shall conform to the provisions and conditions of the master Plan and Zoning Map for future development of the Township except as may be modified by this Ordinance.

SECTION 7.2 STREETS. All streets shall conform in direction and alignment with the Master Plan and shall connect with existing streets without jogs or sharp angles. The following requirements shall be met:

- (a) **CURVES:** Curving local streets shall have a centerline radius conforming to Kent County Road Commission standards.
- (b) **RIGHTS-OF-WAY:** Local and Secondary arterial street rights-of-way shall be at least sixty-six (66) feet in width. Major arterial street right-of-way shown on the Master Plan shall be at least eighty-six (86) feet in width of forty-three (43) feet from the centerline. Expressway rights-of-way shown on the Master Plan shall be at least one hundred twenty (120) feet in width, or sixty (60) feet from the centerline. Alley rights-of-way, if permitted by the Planning Commission, shall be at least twenty (20) feet in width.
- (c) **STUB OR OUTLET STREETS:** Stub streets or outlets to adjacent undeveloped property shall be fully improved, including drainage and utilities as required for all other streets in the subdivision.
- (d) **RESERVE STRIPS:** Reserve strips along major streets may be required by the Planning Commission to be dedicated to the Township or County to prohibit access upon the major street from a specified lot or lots.
- (e) **STREET NAMES:** All street names shall be subject to the approval of the Township Board and the Road Commission.
- (f) **OFF-SETS:** Off-setting streets at an intersection are prohibited unless the centerlines thereof are off-set at least one hundred twenty-five (125) feet. Such off-sets shall be subject to Township approval and the approval of the Road Commission.
- (g) Streets shall be designed in such a way to promote reasonable access to the plat and any further development that may occur.

SECTION 7.3 LOTS. The following lot requirements shall be met:

- (a) **SUITABILITY:** Where there is a questions as to the suitability of a lot or lots for their intended use due to factors such as soil formations, flood conditions, floodplains, wetlands, high water tables, or similar circumstances, the Planning Commission and Township Board shall, after adequate investigation, withhold approval of such lots for development purposes. Such lots shall be combined with other lots in such a manner as to prohibit future subdivisions.

7.4 BLOCKLENGTHS. Blocks shall generally be between six hundred (600) feet and one thousand (1,000) feet in length. Side streets or outlets or streets adjoining property may be required at a lesser interval if deemed necessary by the Planning Commission. Twenty (20) foot pedestrian crosswalk easements may be required by the Planning Commission with sidewalks at least five (5) feet in width.

SECTION 7.5 PUBLIC EASEMENTS. Where a subdivision is traversed by a water course or open drain, there shall be provided a public easement of such a width determined by the County Drain Commissioner, but in no case less than twenty (20) feet in width. There shall be required twenty (20) foot public easements along the lot lines of a block for utility facilities, drainage, walkways, access to public land, or similar needs of the community. Easements may be required to be dedicated to the Township of County.

SECTION 7.6 PUBLIC SITED AND OPEN SPACES. Where a proposed park, playground, school, street, or other public use shown in the Master Plan is located whole or in part in a subdivision, the Planning Commission shall bring the same attention of the proprietor and

the Township Board so that they may address the question of acquiring such areas by dedication, reservation, or payment.

SECTION 7.7 BUSINESS AND INDUSTRIAL SUBDIVISIONS. Where land is subdivided to be used for business or industrial purposes permitted by the Zoning Ordinance, the services and improvements to be required shall be fixed by the Planning Commission with reference to the use and density of the subdivided area and the type of business or industrial activity to be carried on in the subdivided area in accordance with the provisions of Section 6.1.

SECTION 7.9 LAW. The requirements, procedures, regulations, and powers set forth in the Subdivision Control Act of 1967, as amended, shall apply except as provided by this Ordinance.

SECTION 7.10 INSPECTION AND SPECIFICATIONS. The Township Boards may establish inspection fees, inspection requirements, specification standards and administrative procedures as provided by law and such shall be deemed to be requirements of this Ordinance. All plans and installations of improvements called for shall be subject to the approval of the Township or its agent, or such other competent persons as designated by the Township. All inspection fees shall be paid by the proprietor before the Final Plat is signed by the township unless adequate sureties or deposits to cover these expenses are given to the Township prior to Final Plat approval.

ARTICLE VIII GROUNDS AND PROCEDURE FOR A VARIANCE

SECTION 8.1 GROUNDS FOR A VARIANCE. If the proprietor can clearly demonstrate that literal enforcement of this Ordinance is impractical or will impose undue hardship in the use of his land because of peculiar conditions pertaining to his land, the Township Board may permit such variances as, in its sound discretion, it believed to be reasonable and within the general purpose and policy of this Ordinance. A financial hardship or gain shall not of itself be sufficient.

In making the findings required below, the Board shall consider the recommendations of the Planning Commission, the location and condition of the proposed subdivision, the nature of the proposed variance as compared with the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivisions and variances on traffic conditions, public health, and safety in the vicinity.

No variances shall be granted unless the Board finds that all of the following conditions exist:

There are special circumstances or conditions affecting said property such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land.

The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

The granting of the variance will not be contrary to State or County regulations or Township Ordinances, detrimental to the public welfare, or injurious to other property in the area in which said property is situated.

SECTION 8.2 PROCEDURE FOR A VARIANCE. A petition for any such variance shall be submitted in writing by the proprietor at the time when a preplat or the Preliminary Plat is filed for consideration of the Planning Commission, or thereafter to meet any requirements of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner. The Planning Commission shall make a recommendation by the full majority vote to the Township Board upon any requested variance. Upon recommendation by the Planning Commission that a variance be disapproved, the Township Board may grant such variance upon the concurring vote of three members of the Township Board.

ARTICLE IX
VALIDITY, ADMINISTRATION, AND ENFORCEMENT

SECTION 9.1 ADMINISTRATION. This Ordinance shall be administered by the Township Board. The rules, regulations, and standards imposed by this ordinance shall be considered to be the minimum requirements for the protection of the public health, safety, and welfare of the citizens of the Township; and in interpreting and applying them, primary consideration shall be given to these factors.

SECTION 9.2 VALIDITY. If any article, section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 9.3 ENFORCEMENT.

(a) This Ordinance shall be enforced by the Township Board.

(b) Penalty:

(1) Any person who shall sell or agree to sell any lot, piece, or parcel of land without first having recorded a plat thereof (as defined in the Subdivision Control Act) when required by this Ordinance, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred (\$500.00) dollars, or imprisonment in the county jail not to exceed one hundred eighty (180) days, or both, for the first offense, and for each subsequent offense, a like fine and imprisonment in the county jail not to exceed one year, or both. The term "agree to sell" shall not include an option to buy extended from the seller for a money consideration to the prospective buyer.

(2) Any person who violated any other provision of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred (\$500.00) dollars or imprisonment not more than ninety (90) days, or both such fine and imprisonment in the discretion of the court, together with the costs of prosecution of such offense. Every day such violation is permitted to exist shall constitute a separate offense.

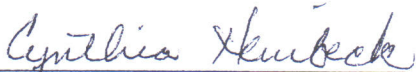
(c) Actions of Restrain or Prevent Violations. The Township Board may bring an action in its own name in the Circuit Court to restrain or prevent any violation of this Ordinance or any continuance of any such violation. Such action shall be brought in the county where the land is located, the defendant resided, or has his principal place of business.

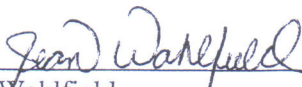
SECTION 9.4 EFFECTIVE DATE. This Ordinance shall be effective thirty (30) days after publication in a newspaper circulating within Alpine Township.

At a regular meeting held on Monday, February 19, 2001, Steffens, offered a motion, with support from Brechting, to approve the foregoing Ordinance as presented. The Ordinance was approved as follows in a roll call vote.

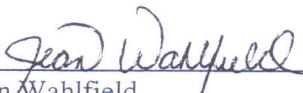
AYE: Brechting, Heinbeck, Kober, Schweitzer, Steffens and Wahlfield
NAY: None
ABSENT: Chase

ORDINANCE NO. 01-03 WAS DECLARED ADOPTED.


Cynthia Heinbeck
Township Supervisor


Jean Wahlfield
Township Clerk

I hereby certify the foregoing to be a true and accurate copy of an ordinance duly adopted at a regular meeting of the Alpine Township Board held on February 19, 2001 and that public notice of said meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.


Jean Wahlfield
Township Clerk

Public Hearing: 02/19/01
Approval: 02/19/01
Publication: 03/15/01
Effective Date: 04/15/01