

PORTLAND TOWNSHIP BOARD OF TRUSTEES
Resolution No. 3-23-16

RESOLUTION TO ADOPT AMENDMENTS TO PART 5 (LAND DIVISION ORDINANCE) OF THE PORTLAND TOWNSHIP CODE OF ORDINANCES REGARDING TEXT AMENDMENTS TO ARTICLE 3, SECTION 5.3.01 (B).

At a regular meeting of the Township Board of Portland Township (the "Township"), Ionia County, Michigan, held at the Township Hall in said Township on this 23rd day of March, 2016 at 6:00 pm (time).

Present: Simon, Platte, Jensen, Keilen

Absent: Vanlente

The following resolution was offered by Simon and supported by Platte:

WHEREAS, Public Act 246 of 1945, MCL 41.181 *et seq.*, as amended, authorizes a township board to adopt and amend ordinances that regulate the public health, safety and general welfare of persons and property and to codify such ordinances; and,

WHEREAS, the Township Board has determined that amendments to Part 5 of the Portland Township Code of Ordinances (the "Land Division Ordinance") are necessary and proper to amend language for new parcels that are over 10 acres in size will be exempt from the 4:1 width to depth ratio and,

WHEREAS, the Board of Trustees has determined that amending the Land Division Ordinance, Part 5, Article 3 - Standards and Effectiveness, Section 5.3.01 (B) is in the best interest of the public health, safety and welfare of Township residents.

NOW THEREFORE, be it resolved by the Board of Portland Township, Ionia County, Michigan, as follows:

1. Ordinance No.100-3-16, Amendments to Part 5 (Land Division Ordinance) of The Portland Township Code of Ordinances to Amend the Land Division Ordinance Text attached to this Resolution, is hereby adopted.
2. This Ordinance shall be filed with the Township Clerk.
3. The Township Clerk shall publish notice of adoption of this Ordinance in a newspaper of general circulation in the Township within 15 days after adoption.

4. Any and all resolutions that are in conflict with this Resolution are hereby repealed.

ADOPTED:

Yeas: 4

Nays: 0

Absent: 1

STATE OF MICHIGAN)
)
COUNTY OF IONIA)

I, the undersigned, the duly elected Clerk of Portland Township, Ionia County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete representation of certain proceedings conducted by the Board of Trustees of said Township at a meeting held on this 23rd day of March, 2016.

Charlene Keilen
Portland Township Clerk

Note, original is signed by the Clerk

**PORTLAND TOWNSHIP
ORDINANCE NO. 100-3-16
Adopted March 23, 2016
Effective Date May 3, 2016**

**AN ORDINANCE TO ADOPT AMENDMENTS TO PART 5 (LAND DIVISION
ORDINANCE) OF THE PORTLAND TOWNSHIP CODE OF ORDINANCES
REGARDING TEXT AMENDMENTS TO ARTICLE 3, SECTION 5.3.01 (B) SHOWN
BELOW IN ITS ENTIRETY.**

THE TOWNSHIP OF PORTLAND ORDAINS:

SECTION 1:

Part 5 Land Division Ordinance

Article 3: Standards and Effectiveness

Sec. 5.3.01: Standards for Approval of Land Division

A proposed land division shall be approved if the following criteria are met:

- A. The proposed land division, including all resulting parcels, complies with all requirements of the State Land Division Act and this Part including, but not limited to, accessibility as defined and required by Part 3, Zoning, this Code, or any other ordinances or where it is necessary for the protection of the health, safety and general welfare of the public.
- B. The ratio of depth to width of any parcel created by the division does not exceed a four (4) to one (1) ratio. A greater depth to width ratio than that required by this subsection may be permitted if the resulting parcel(s) exhibit exceptional topographic or physical conditions or would be compatible with surrounding lands. The depth to width ratio requirements of this subsection shall not apply to parcels larger than 10 acres ~~but~~ and shall not apply to the remainder of the parent parcel or parent tract retained by the proprietor. In the event that Part 3, Zoning specifies a depth to width ratio for a particular area which differs from that set forth within this sub-section, the ratio contained in Part 3, Zoning shall control.
- C. Each parcel created by the proposed division(s) shall have the minimum width as established by Part 3, Zoning, for the zoning district in which the resulting parcel(s) is (are) located.
- D. Each parcel created by the proposed division(s) shall have the minimum area as established by the Part 3, Zoning, for the zoning district in which the resulting parcel(s) is (are) located.

SECTION 2:

Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

SECTION 3:

Repealer Clause. Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 4:

Effective Date. This Ordinance shall be effective thirty (30) days after publication.

ADOPTED:

Yeas: 4

Nays: 0

Absent: 1

STATE OF MICHIGAN)
)
COUNTY OF IONIA)

I, the undersigned, the duly elected Clerk of Portland Township, Ionia County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete representation of certain proceedings conducted by the Board of Trustees of said Township at a meeting held on this 23rd day of March, 2016.

Charlene Keilen
Portland Township Clerk

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