

ORDINANCE NO. 2017-13

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND SECTION 23.12B – PRIVATE ROADS AND STREETS CONSTRUCTION SPECIFICATIONS, AND CREATE SECTION 23.12BB – PRIVATE ROADS AND STREETS AG AGRICULTURAL AND RURAL ZONING DISTRICT OF THE ALLENDALE CHARTER TOWNSHIP ZONING ORDINANCE.

THE CHARTER TOWNSHIP OF ALLENDALE, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. Private Roads and Streets, Construction Specifications. Section 23.12B of the Zoning Ordinance shall be amended to state in its entirety as follows.

B. Construction Specifications

Except as permitted in subsection BB below, the following construction specifications apply to all private roads and streets.

1. Where a private road terminates in a dead end, a paved cul-de-sac shall be required by the Planning Commission. The road easement shall widen to accommodate the cul-de-sac with a minimum diameter paved surface in accordance with the current Ottawa County Road Commission Standards and Specifications for Plat, Condominium and Public Road Development.
2. A private road is required to be paved and shall be constructed in accordance with the current Ottawa County Road Commission Standards and Specifications for Plat, Condominium and Public Road Development. The Planning Commission may require additional thickness, stronger materials or other necessary road improvements to adequately accommodate local surface and subsurface conditions.
3. The minimum width of the paved surface shall be as follows:
 - a. For private roads servicing five (5) or less dwellings the paved surface shall be a at least twenty-two (22) feet in width and shall contain gravel shoulders of at least two (2) feet in width.
 - b. For private roads servicing at least six (6) dwellings but not more than nineteen (19) dwellings, the paved surface shall be a at least twenty-four (24) feet in width and shall contain valley gutter shoulders.

- c. For private roads servicing twenty (20) or more dwellings the paved surface shall be at least twenty-four (24) feet in width and shall contain concrete curb and gutter shoulders. The private road shall include street trees and street lighting pursuant to the requirements of the Allendale Charter Township Subdivision Ordinance.
4. After a review by and written approval obtained from the Ottawa County Water Resources Commissioner, a private road shall be constructed in a manner to provide effective storm water drainage and to prevent run-off onto adjacent property. If a private road crosses a natural drainage course or easement, stream or other natural body of water, a bridge, culvert or other structure permitting the flow of water under the private road shall be constructed in accordance with applicable Ottawa County Road Commission and Michigan Department of Transportation requirements for public roads.
5. A private road shall not exceed a grade of seven (7) percent, provided that within fifty (50) feet of any private road or public street intersection, the grade shall not exceed four (4) percent
6. A driveway permit shall be obtained from the Ottawa County Road Commission for the private road.

Section 2. Private Roads and Streets, AG Agricultural and Rural Zoning District. Section 23.12BB of the Zoning Ordinance shall be created to state in its entirety as follows.

BB. AG Agricultural and Rural Zoning District

In order to maintain the rural atmosphere established within Section 5.01 of this Ordinance, private roads in the AG Agricultural and Rural Zoning District shall be constructed in accordance with Section 23.12B or as provided herein.

1. A private road shall be located within a private road easement of not less than thirty (30) feet in width. The private road shall be constructed with a sand and gravel base of not less than eighteen (18) inches in depth of which not less than six (6) inches in depth shall be only gravel. The private road may be paved in accordance to Section 23.12B of this Ordinance. The Planning Commission may require additional thickness, stronger materials or other necessary road improvements to adequately accommodate local surface and subsurface conditions.
2. Where a private road terminates in a dead end, a cul-de-sac shall be required by the Planning Commission. The road easement shall widen to a

minimum diameter of at least one-hundred (100) feet to accommodate the cul-de-sac with a minimum diameter road bed surface of at least eighty (80) feet.

3. The private road shall have a road bed of not less than twenty (20) feet in width for its entire length, except for that area where a cul-de-sac is required pursuant to subsection BB2 above.
4. A private road shall serve no more than five (5) lots and each lot shall be no less than ten (10) acres in area.
5. The private road shall comply with the provisions of Section 23.12B4, 23.12B6 and 23.12B7 above but shall be exempt from the provisions of Section 23.12B1, 23.12B2, 23.12B3 and 23.12B5.

Section 3. Effective Date. This amendment to the Allendale Charter Township Zoning Ordinance was approved and adopted by the Township Board of Allendale Charter Township, Ottawa County, Michigan on December 11, 2017, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on November 27, 2017, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on January 1, 2018, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the *Grand Valley Advance* 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.

Adam Elenbaas, Township Supervisor

Laurie Richards, Township Clerk

CERTIFICATE

I, Laurie Richards, the Clerk for the Charter Township of Allendale, Ottawa County, Michigan, certify that the foregoing Allendale Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on December 11, 2017. The following members of the Township Board were present at that meeting: Elenbaas, Richards, Kraker, VanderWall, Hoekstra, VanderVeen, Zeinstra. The following members of the Township Board were absent: _____. The Ordinance was adopted by the Township Board with members of the Board Elenbaas, Richards, Kraker, VanderWall, Hoekstra, VanderVeen, Zeinstra voting in favor and members of the Board _____ voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Valley Advance* on December 24, 2017.

Laurie Richards, Clerk
Allendale Charter Township

AFFIDAVIT OF POSTING
(Zoning Text Amendment Ordinance)

STATE OF MICHIGAN)

)ss

COUNTY OF OTTAWA)

The undersigned, Laurie Richards, the Allendale Charter Township Clerk, being first duly sworn, deposes and says as follows:

1. That she posted a proposed Zoning Text Amendment Ordinance for Allendale Charter Township, after its first reading at a meeting of the Allendale Charter Township Board held on November 27, 2017 and its second reading at a meeting of the Allendale Charter Township Board held on December 11, 2017, in the Township Clerk's office and on the Township's website at www.allendale-twp.org on December 14, 2017.

Laurie Richards, Clerk
Allendale Charter Township

Subscribed and sworn to before this
_____ day of _____, 2017.

Notary Public, Ottawa County, Michigan
Acting in Ottawa County, Michigan
My commission expires: _____