

TOWNSHIP OF RICHLAND  
KALAMAZOO COUNTY, MICHIGAN

ORDINANCE NO. 278

**ORDINANCE AMENDING PART 252 (Subdivision/Site Condo) OF  
THE RICHLAND TOWNSHIP  
CODE OF ORDINANCES**

ADOPTED: JANUARY 21, 2020

EFFECTIVE: JANUARY 29, 2020

An Ordinance amending the Township of Richland Code of Ordinances by addition of condominiums to the subdivision/site condominium ordinance; by requiring certain approvals prior to the conversion of property from sole ownership to condominiums; to provide an effective date; and to repeal conflicting ordinance provisions.

The Township of Richland, Kalamazoo County, Michigan ordains:

**SECTION 1**

**AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION 1 "TITLE" OF  
THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section 1 "Title" shall be amended to read as follows:

"Sec. 1. This Ordinance shall be known as the 'Richland Township Subdivision/Site Condominium/Condominium Ordinance'."

**SECTION 2**

**AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION IV  
"DEFINITIONS" SUBSECTION A "BUILDING SITE" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section IV "Definitions" Subsection A "Building Site" shall be amended by removing the phrase "access to" and inserting "frontage on" in the last sentence of the definition of Building Site.

**SECTION 3**

**AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VI "TENTATIVE  
APPROVAL OF PRELIMINARY PLAT/SITE CONDOMINIUM PLAN (STEP 1 APPROVAL)" OF THE RICHLAND  
TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VI "Tentative Approval of Preliminary Plat/Site Condominium Plan (Step 1 Approval)" of the Richland Township Code of Ordinances is amended so that the title of the section reads as follows:

"252.006 Tentative approval of preliminary plat/site condominium/condominium plan (step 1 approval)."

#### **SECTION 4**

#### **AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VI "TENTATIVE APPROVAL OF PRELIMINARY PLAT/SITE CONDOMINIUM PLAN (STEP 1 APPROVAL)" SUBSECTION A "SUBMISSION" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VI "Tentative Approval of Preliminary Plat/Site Condominium Plan (Step 1 Approval)" Subsection A "Submission" of the Richland Township Code of Ordinances shall be amended to read as follows:

- "A. *Submission.* Every person, firm or corporation which shall hereafter submit a tentative preliminary condominium plan, site condominium plan or preliminary plat plan to the Township Board for tentative approval shall submit not less than 15 legible copies of said proposed preliminary plan. Said preliminary plan shall be prepared by a Registered Civil Engineer, Land Surveyor or other person authorized by law. Said copies must contain, at a minimum, the following information and fees:
1. Show relief of area proposed to be platted or developed as a site condominium or condominium with not more than four-foot contour intervals.
  2. Indicate road layout.
  3. Indicate lot or building site or unit layout, showing size and shape of proposed lots or building sites, as well as any dedicated common open space.
  4. Indicate whether proposed plat or site condominium or condominium development will be served by public sanitary sewer and/or water system.
  5. Indicate the general location and size of any flood plain possibly located within the proposed plat or site condominium or condominium development.
  6. Indicate, in general, the methods for storm water disposal.
  7. When the proprietor owns or plans to acquire and anticipates platting adjoining land or making it into a Condominium Development, the proprietor shall submit with the preliminary plat/condominium plan for tentative approval, a tentative plan showing the feasibility of the development of such adjoining land.
  8. A fee established by resolution of the Richland Township Board pursuant to Section XIV [252.014] of this Ordinance. (*Note: Such fee will include an escrow account that shall be replenished as the project moves through the approval process.*)"

#### **SECTION 5**

#### **AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VI "TENTATIVE APPROVAL OF PRELIMINARY PLAT/SITE CONDOMINIUM PLAN (STEP 1 APPROVAL)" SUBSECTION B "PLANNING COMMISSION REVIEW" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VI "Tentative Approval of Preliminary Plat/Site Condominium Plan (step 1 approval)" Subsection B "Planning Commission Review" of the Richland Township Code of Ordinances is hereby amended by removal of the term "site" from the first and last sentences in the first paragraph.

#### **SECTION 6**

#### **AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VI "TENTATIVE APPROVAL OF PRELIMINARY PLAT/SITE CONDOMINIUM PLAN (STEP 1 APPROVAL)" SUBSECTION C "TOWNSHIP BOARD REVIEW" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VI "Tentative approval of preliminary plat/site condominium plan (step 1 approval)" Subsection C "Township Board Review" of the Richland Township Code of Ordinances is hereby amended by removal of the term "site" from the last sentence of the first paragraph.

#### **SECTION 7**

#### **AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VI "TENTATIVE APPROVAL OF PRELIMINARY PLAT/SITE CONDOMINIUM PLAN (STEP 1 APPROVAL)" SUBSECTION C "TOWNSHIP BOARD REVIEW" SUBSECTION 1 "STREETS" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VI "Tentative approval of preliminary plat/site condominium plan (step 1 approval)" Subsection C "Township Board Review" Subsection 1 "Streets" of the Richland Township Code of Ordinances is hereby amended under subsection 1(d) by removal of the term "site" from the first sentence of subsection 1(d).

The same section is also amended under subsection 1(e) by removal of the term "site" from the first sentence of subsection 1(e).

#### **SECTION 8**

#### **AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VI "TENTATIVE APPROVAL OF PRELIMINARY PLAT/SITE CONDOMINIUM PLAN (STEP 1 APPROVAL)" SUBSECTION C "TOWNSHIP BOARD REVIEW" SUBSECTION 2(a) "LOTS AND BUILDING SITES" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VI "Tentative Approval of Preliminary Plat/Site Condominium Plan (Step 1 Approval)" Subsection C "Township Board Review" Subsection 2(a) "Lots of Building Sites" of the Richland Township code of Ordinances shall be amended to read as follows:

"2. Lots and building sites.

- a. Lots and building sites/units shall be established in compliance with the minimum lot dimension provisions or density set forth in the Richland Township Zoning Ordinance."

#### **SECTION 9**

#### **AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VI "TENTATIVE APPROVAL OF PRELIMINARY PLAT/SITE CONDOMINIUM PLAN (STEP 1 APPROVAL)" SUBSECTION C "TOWNSHIP BOARD REVIEW" SUBSECTION 3(b) "GENERAL PROVISIONS" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VI "Tentative Approval of Preliminary Plat/Site Condominium Plan (Step 1 Approval)" Subsection C "Township Board Review" Subsection 3(b) "General provisions" of the Richland Township Code of Ordinances is hereby amended by the removal of the term "site" from subsection 3(b).

**SECTION 10**

**AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VI "TENTATIVE APPROVAL OF PRELIMINARY PLAT/SITE CONDOMINIUM PLAN (STEP 1 APPROVAL)" SUBSECTION C "TOWNSHIP BOARD REVIEW" SUBSECTION 4(b) "TOWNSHIP BOARD DECISION" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VI "Tentative Approval of Preliminary Plat/Site Condominium Plan (Step 1 Approval)" Subsection C "Township Board Review" Subsection 4(b) "Township Board decision" of the Richland Township Code of Ordinances is hereby amended by the removal of the term "site" from subsection 4(b).

**SECTION 11**

**AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VII "FINAL APPROVAL OF PRELIMINARY CONDOMINIUM PLAN/PRELIMINARY PLAT PLAN (STEP 2 APPROVAL)" SUBSECTION B "STANDARDS FOR APPROVAL" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VII "Final approval of preliminary condominium plan/preliminary plat plan (step 2 approval)" Subsection B "Standards for Approval" of the Richland Township Code of Ordinances is hereby amended under subsection B(1) by removal of the term "site" from subsection B(1).

The same section is also amended under subsection B(5) by removal of the term "site" from subsection B(5).

**SECTION 12**

**AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VIII "FINAL APPROVAL OF FINAL CONDOMINIUM PLAN/PLAT PLAN (STEP 3 APPROVAL)" SUBSECTION A "SUBMISSION" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

- A. Part 252 "Subdivision/Site Condominium Ordinance" Section VIII "Final approval of final condominium plan/plat plan (Step 3 approval)" Subsection A "Submission" of the Richland Township Code of Ordinances is hereby amended in the first paragraph to read as follows:

"A. Submission. Every person, firm or corporation shall hereafter submit a proposed final plat or condominium plan to the Township Board for final approval. Should an applicant for conversion of an existing approved project (approved site plan) seek approval where no on-site changes are to occur, they shall be allowed to submit such site plan, along with a proposed master deed directly for Step 3 approval. They shall submit the following relevant data and fees:"

- B. The same section is also amended under Subsection A(2) to read as follows:

"2. A fee established by resolution of the Richland Township Board pursuant to Section XIV [252.014] of this Ordinance. For conversion of existing approved projects, a fee plus escrow shall be paid for this Step 3 review and approval."

The remainder of Section A "Submission" shall remain unchanged.

**SECTION 13**  
**AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION VIII "FINAL APPROVAL OF FINAL CONDOMINIUM PLAN/PLAT PLAN (STEP 3 APPROVAL)" SUBSECTION B "TOWNSHIP BOARD REVIEW" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section VIII "Final approval of final condominium plan/plat plan (Step 3 approval)" Subsection B "Township Board Review" of the Richland Township Code of Ordinances is hereby amended by removal of the term "site" from the first sentence.

**SECTION 14**  
**AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION X "BUILDING SITE/SUBDIVISION" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section X "Building site/subdivision" is hereby amended to read as follows:

"Sec. X. After a plat or condominium development has been recorded, platted lots/building sites/units may thereafter be partitioned or divided with the approval of the Township Board into not more than four parts, provided that the resulting lots or building sites or combinations of two or more divided lots or building sites/units shall comply with the minimum lot size and width requirements or density in the Richland Township Zoning Ordinance and provided further that such resulting lots or building sites shall each have direct access to a public roadway or private roadway constructed to the standards of this Ordinance, and also to public utilities necessary or required to service such lots or building sites, and provided further, that all such resulting lots or building sites shall conform in all particulars to the requirements of all applicable statutes and Township Ordinances."

**SECTION 15**  
**AMENDMENT TO PART 252 "SUBDIVISION/SITE CONDOMINIUM ORDINANCE" SECTION XIII "AMENDMENTS" OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 252 "Subdivision/Site Condominium Ordinance" Section XIII "Amendments" of the Richland Township Code of Ordinances is hereby amended by removal of the term "site" from the first sentence.

**SECTION 16**  
**SEVERABILITY**

The various provisions of this ordinance are severable from each other and if anyone is found by a court of competent jurisdiction to be invalid, such determination shall not affect the validity of other sections of this Ordinance.

**SECTION 17**  
**EFFECTIVE DATE AND REPEAL**

This Ordinance shall take effect on the day following publication, following adoption. All ordinances and parts of ordinances in conflict herewith are repealed.

TOWNSHIP OF RICHLAND  
Bear Priest, Clerk  
7401 North 32nd Street  
Richland, Michigan 49083  
(269) 629-4921  
[www.richlandtwp.net](http://www.richlandtwp.net)

*B* 2-27-2020

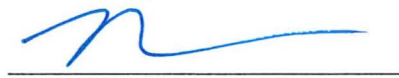
**CLERK'S CERTIFICATE**

I, Bear Priest, Township Clerk of the Township of Richland, Kalamazoo County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Richland Township Board held on January 21, 2020 at 7:00 o'clock p.m., at the Richland Township Hall, located at 7401 North 32nd Street, Richland, Michigan, at which the following members were present, the Board enacted and passed Ordinance No. 278, hereinbefore recorded, to become effective on January 29, 2020, and that the members of said Board present at said meeting voted on the adoption of said Ordinance as follows:

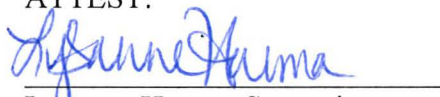
Lysanne Harma	Yes
Bear Priest	Yes
Marsha Drouin	Yes
Paul Foust	Yes
Trey Eldridge	Yes
Nicole Speedy	Yes

I do further certify that all in accordance with Township Board direction, a summary of the Ordinance as adopted was published in the Kalamazoo Gazette, a newspaper printed in Kalamazoo, and circulated in Richland Township on, January 28, 2020; a copy of Ordinance No. 278 was posted at the Township Hall on January 27, 2020; and that said Ordinance No. 278 was recorded in the official Ordinance Book on January 27, 2020.

Dated: 2-27-2020

  
\_\_\_\_\_  
Bear Priest, Clerk

ATTEST:

  
\_\_\_\_\_  
Lysanne Harma, Supervisor