

CHAPTER 54 SUBDIVISION CONTROL

5.401. Title and purpose.

- A. This chapter shall be known as the *EAST GRAND RAPIDS SUBDIVISION CONTROL ORDINANCE*.
- B. The purpose of this chapter is to regulate and control the division and subdivision of land, including the creation of plats and unplatted land divisions by metes and bounds legal descriptions, within the city in order to promote the safety, public health, and general welfare of the community. (Ord., 6-28-1991; Ord., 5-16-1997)

5.402. Platting procedure.

- A. Preliminary plats. Preliminary plats shall be submitted and filed for approval under sections 112 to 120 of the Michigan subdivision control act, act 288 of 1967, as amended [101](#) . The city commission shall either reject the preliminary plat and give its reasons or set forth in writing the conditions for granting of approval within the time frame required by the subdivision control act, as amended.
- B. Final plats.
 - 1. Final plats shall be prepared and submitted as provided for in the subdivision control act, as amended.
 - 2. The subdivider shall submit proof of ownership of the land included in the final plat.
 - 3. The city commission may require such other information as it deems necessary to establish whether the proper parties have signed the plat.
 - 4. The city commission shall review the final plat at its next regular meeting or at a meeting to be called within twenty (20) days of receipt of the plat. The city commission shall either approve the plat or disapprove the plat. If disapproved, the city commission shall give the subdivider its reasons in writing. (Ord., 6-28-1991)

5.403. Requirements for lots.

All lots, whether shown in a proposed plat or resulting from any type of land division, shall comply with all the requirements (including, but not limited to, minimum width requirements and lot size for a conforming lot in the zone district in which the lots are located) of [chapter 50](#) of this title, as amended. Furthermore, even if the proposed resulting lots from a land division meet the requirements of [chapter 50](#) of this title for a conforming lot in the zone district in which the lots are located, the procedures of

section [5.406](#) of this chapter shall apply. (Ord., 6-28-1991; Ord., 5-16-1997; Ord., 1-26-2001)

5.404. Requirements for utilities.

All public utility lines and easements shall be shown on the plat. Extensions of public utilities shall be consistent with the system already in place. (Ord., 6-28-1991)

5.405. Requirements for streets and sidewalks.

All streets and sidewalks shall be shown on the plat. Streets and sidewalks shall complement the existing streets and sidewalks in the city. (Ord., 6-28-1991)

5.406. Municipal review of all land divisions.

A. Platted lots. No platted lot shall be split or divided or combined with another lot, nor shall the boundary line of a platted lot be altered, unless approved beforehand by the city commission pursuant to the following standards:

1. Each resulting lot must have an area not less than required by [chapter 50](#) of this title, as amended, for a conforming lot in the zone district in which the lot is located.
2. Each proposed resulting lot must have adequate easements for public utilities from the lot to existing public utility facilities.

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“(3) The proposed land division will not adversely affect adjacent uses or properties and will be consistent and harmonious with the character of adjacent properties in the surrounding area. The city commission’s review will include consideration of the following:

- (a) The conformity of the resultant parcels with zoning ordinance standards and the creation of parcels consistent and in harmony with parcels within 500 feet of the proposed split.
- (b) The location and size of the resultant parcels in relation to the size, shape, and area of lots in the surrounding area of the proposed split. For these purposes, parcels within 500 feet of the proposed split may be reviewed. In reviewing conformity with properties in the surrounding area, factors which should be considered are total size of the parcels created, the width of such parcels, and the width-to-depth ratio of the parcels.
- (c) The existence of and effect upon floodplain areas, wetlands, drainage courses, and terrain and the ability to develop

building sites on each parcel without unreasonable disturbance of such features.

- (d) The relationship of front, side, and rear yards to yards and orientation of buildings on other existing parcels adjoining the proposed parcels. For these purposes, parcels within 500 feet of the proposed split will be reviewed.”

4. The proposed land division will not place demands on public services, roads and facilities in excess of their current capacities.

5. The city commission may attach reasonable conditions to the approval of the platted land division.

B. Unplatted lots. No land division (apart from platted lots as governed by subsection A of this section) shall occur until and unless the proposed land division has been approved by the city commission or such city official as may be designated by the city commission from time to time.

1. Land division requests shall be approved or denied within thirty (30) days after the filing of a complete application and the required supporting documents, all applicable fees have been paid and the requirements of this chapter have been met.

2. In addition to a complete application and payment of any applicable fees, the applicant must file an adequate and accurate legal description and a tentative parcel map for each proposed resulting parcel or lot showing area, parcel lines, public utility easements and accessibility. The tentative parcel map shall be a scale drawing showing the approximate dimensions of the proposed lots or parcels.

3. Each resulting parcel or lot must have an area not less than required by [chapter 50](#) of this title, as amended, for a conforming lot in the zone district in which the lot is located.

4. Each proposed resulting lot or parcel must have adequate easements for public utilities from the parcel or lot to existing public utility facilities.

C. Effect of approval under this section. Municipal approval under this section confers land division approval only and the ability to record the land division with the Kent County register of deeds records. Municipal approval hereunder does not infer, imply or guarantee that the resulting lots or parcels are buildable or meet all city ordinance or code requirements. If discretionary city approvals are required either pursuant to [chapter 50](#) of this title, as amended, or other city ordinances, the property owner is still responsible for obtaining any such approvals and ensuring compliance with all applicable laws and ordinances.

“D. Application and fee for municipal review. The city commission shall establish by resolution the fee for consideration of a proposed land division. A request for approval of a land division shall not be considered until the required fee is paid. In addition, an application for a division of land shall be filed. The application shall be signed by all owners of the subject land and delivered to the city clerk. The following information shall be provided in or with the application:

- (1) The names of all owners of any legal or equitable interest in the land and their signatures.
- (2) The legal description of the parcel and a description of all buildings thereon.
- (3) A survey prepared by a registered surveyor of the parcel as it exists, including all buildings located on the parcel, and showing the proposed lot division or partition, including the minimum building setback lines as required for the zoning district in which the property is located for each resulting parcel. In addition, the city will provide a drawing showing all adjoining properties and existing buildings within 500 feet of the subject property.
- (4) Any restrictions or covenants which currently exist that impact the proposed resulting parcels and any restrictions or covenants which the owner intends to place on the resulting parcels should the proposed land division be approved. The applicant shall provide a copy of a title search showing restrictions applicable to the parcel.
- (5) The applicant’s statement of impact on properties in the surrounding area resulting from the proposed submission. This statement shall include, but not be limited to, a review of the standards set forth in Section 5.406A(3) of the code.
- (6) Such other information as is requested by city staff such as information regarding the location of drainage courses.”

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“E. Public hearing. When an application for land division has been filed in proper form with the required information, the city clerk shall place the application on an agenda of the city commission for consideration following a public hearing and shall have notices served personally or by mail at least 15 days prior to the day of such hearing upon the applicant and owners of record of property within 500 feet of the premises in question, which notices, if by mail, shall be addressed to the respective property owners of record at the address given in the last assessment roll. A notice of public hearing shall also be published in a newspaper of general circulation in the city at least 15 days prior to the day of such hearing.”