

## ARTICLE VII. – DEVELOPMENT OPTIONS

## Sec. 701. - Site condominium review:

Pursuant to authority conferred by Section 141 of the Condominium Act, Public Act 59 of 1978, as amended (MCL 559.101 et seq., MSA 26.50(101) et seq.), all condominium subdivision plans shall be reviewed by the Township Planning Commission and approved by the Township Board. In determining whether to approve a condominium subdivision plan, the Planning Commission and Township Board shall consult with the Township attorney, Township engineer, and Township planner regarding the adequacy of the master deed, deed restrictions, utility systems and streets, subdivision layout and design and compliance with all requirements of the Condominium Act. in accordance with the provisions set forth in Article 9.

1. *Site condominium—General requirements:*

- A. Each condominium lot shall be located within a zoning district that permits the proposed use.
- B. *Condominium lots:* For the purposes of this Section, each condominium lot shall be considered equivalent to a single lot and shall comply with all regulations of the zoning district in which located. In the case of a site condominium containing single-family detached dwelling units, not more than one (1) dwelling unit shall be located on a condominium lot, nor shall a dwelling unit be located on a condominium lot with any other principal structure or use.
- C. *Revision of condominium subdivision plan:* If the condominium subdivision plan is revised, the final site plan shall be revised accordingly and submitted for review and approval or denial by the Township Board, upon recommendation by the Planning Commission, before any building permit may be issued, where such permit is required.
- D. *Amendment of master deed or bylaws:* Any amendment to a master deed or bylaw that affects the approved preliminary or final site plan, or any conditions of approval of a preliminary or final site plan, shall be reviewed and approved by the Township Board, upon recommendation by the Planning Commission, before any building permit may be issued, where such permit is required. The Planning Commission or Township Board may require its review of an amended site plan if, in its opinion, such changes in the master deed or bylaws require corresponding changes in the approved site plan.
- E. *Development agreement:* The Township Board may require, as a condition of approval, that the applicant enter into a development agreement in compliance Section 305, Development agreements, incorporating therein the terms and conditions of final site plan approval.
- F. *Relocation of boundaries:* Relocation of boundaries between adjoining condominium lots, if permitted in the condominium documents, as provided in Section 48 of the Condominium Act, Public Act 59 of 1978, as amended (MCL 559.101 et seq., MSA 26.50(101) et seq.), shall comply with all regulations of the zoning district in which located and shall be approved by the Building Inspector. These requirements shall be made a part of the bylaws and recorded as part of the master deed.
- G. *Subdivision of lots:* Each condominium lot that results from a subdivision of another condominium lot, if such subdivision is permitted by the condominium documents, as provided in Section 49 of the Condominium Act, Public Act 59 of 1978, as amended (MCL 559.101 et seq., MSA 26.50(101) et seq.), shall comply with all regulations of the zoning

district in which located and shall be approved by the Building Inspector. These requirements shall be made a part of the condominium bylaws and recorded as part of the master deed.

- H. *Streets*: All site condominium developments shall utilize either approved public streets or private roads that conform to the Township engineering design standards, and other conditions set forth by the Township Board and Washtenaw County Road Commission.
- I. *Road right-of-way*: Road right-of-way shall be parcels separate from individual condominium lots and shall be accurately delineated by bearings and distances on the condominium subdivision plan and the final site plan. The right-of-way shall be for roadway purposes and for the purposes of locating, installing, maintaining, and replacing of public utilities. The developer shall dedicate easements of the Township for all public water and sanitary sewer lines and appurtenances.
- J. *Easement for utilities*: The site condominium subdivision plan shall include all necessary easements granted to the Township of Ypsilanti for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing and/or removing pipelines, mains, conduits and other installations of a similar character for the purpose of providing public utilities, including conveyance of sewage, water and stormwater runoff across, through and under the property subject to said easement, and excavating and refilling ditches and trenches necessary for the location of said structure.
- K. *Monuments*: Monuments shall be set at all boundary corners and deflection points and at all road right-of-way intersection corners and deflection points. Lot irons shall be set at all condominium lot corners and deflection points of condominium lot lines.

The Township engineer may grant a delay in the setting of required monuments or irons for a reasonable time, but not to exceed one (1) year, on condition that the developer deposit with the Township a performance guarantee meeting the requirements of Section 306, Performance guarantee, in the estimated amount as determined by the Township Engineer. Such guarantee shall be returned to the developer upon receipt of a certificate by a surveyor registered in the State of Michigan that the monuments and irons have been set as required within the time specified. If the developer defaults, the Township Board shall promptly require a registered surveyor to set the monuments and irons in the ground, as shown on the condominium site plans, at a cost to be borne by the developer.

- L. *As-built drawings*: A dimensionally stable copy of the as-built drawings shall be submitted to the Township.
2. *Site condominium—Plan requirements*:
- A. The name, address, and telephone number of:
    - (1) All persons, firms, or corporation with an ownership interest in the land on which the condominium project will be located, together with a description of the nature of each entity's interest (for example, fee owner optionee or land contract vendee).
    - (2) All engineers, attorneys, architects, or registered land surveyors associated with the project.
    - (3) The developer or proprietor of the condominium project.
  - B. The legal description of the land on which the condominium project will be developed, together with appropriate tax identification numbers.

- C. The acreage content of the land on which the condominium project will be developed.
  - D. The purpose of the project (for example, residential, commercial, industrial, etc.).
  - E. Number of site condominium units to be developed on the subject parcel.
  - F. A survey plan of the site condominium subdivision.
  - G. The site condominium subdivision plan shall show the size, location, area, vertical boundaries, and volume for each unit composed of enclosed air space. A number shall be assigned to each condominium unit. The site condominium subdivision plan shall include the nature, location, and approximate size of common elements.
  - H. A utility plan showing all sanitary sewer, water, and storm sewer lines, and easements granted to the Township for installation, repair, and maintenance of all utilities.
  - I. A street construction, paving and maintenance plan for all streets within the proposed site condominium subdivision.
  - J. A storm drainage and stormwater management plan, including all lines, swales, drains, basins, and other facilities.
  - K. A detailed site grading plan of all site condominium subdivision units, common areas, road rights-of-way and all other land areas within the proposed development.
3. *Site condominium—Plan review:*
- A. *Preliminary site plan:*
    - (1) A preliminary site plan shall be filed for review with the Township. Preliminary site plans shall be reviewed and approved or denied approval by the Township Planning Commission and the Township Board.
    - (2) The preliminary site plan shall include all land that the developer intends to include in the site condominium project.
    - (3) The preliminary site plan shall include all information required in Section 910, Submittal requirements, herein except that, in the case of a development that consists only of condominium lots and not buildings or other structures at the time of plan review, the location and dimensions of condominium lots rather than individual buildings, and other structures, and required yards, shall be shown on the preliminary site plan.
  - B. *Final site plan:*
    - (1) A final site plan shall be filed for review for each phase of development shown on the approved preliminary site plan. Final site plans shall be reviewed and approved or denied by the Township Board, upon recommendation of the Planning Commission.
    - (2) A final site plan for any phase of development shall not be filed for review by the Planning Commission unless a preliminary site plan has been approved by the Planning Commission and Township Board and is in effect.
    - (3) A final site plan shall include all information required by Section 66 of the Condominium Act, Act No. 59 of the Public Acts of Michigan of 1978 (MCL 559.101 et seq.), as amended, and the master deed and bylaws. The final site plan shall also include all information required herein, except in the case of single-family detached dwelling units, the location and dimensions of condominium units shall be shown on the site plan.

- (4) The applicant shall provide proof of approvals by all county and state agencies required to review the condominium subdivision plan. The Township Planning Commission shall not approve a final site plan until all county and state agencies required to review the condominium subdivision plan have approved the site condominium plan.

4. *Condominium subdivision design and approval:*

- A. *Relation to Subdivision Ordinance:* The provisions of Articles 4 and 5 of the Subdivision Ordinance of Ypsilanti Charter Township shall apply to site condominiums, and these provisions incorporated herein by reference. In applying the design and development standards of Article 4 and the improvement requirements of Article 5 of the Subdivision Ordinance, the standards and requirements that are intended to apply to lots in a subdivision shall apply instead to condominium lots. All other provisions of the Articles shall apply including the requirements for posting financial securities, completing improvements, inspection fees and condominium completion. The following terms as used in Articles 4 and 5 shall mean the following when applied to site condominiums: “subdivision” shall mean site condominium, “preliminary plat as finally approved by the Township Board” shall mean the “final site plan as approved by the Planning Commission including any conditions imposed by their approval,” “before final plat” shall mean “before any building permit is issued” and “lot(s)” shall mean “unit(s)”. Nothing in this Section shall be construed as requiring a site condominium to obtain plat approval under the Subdivision Ordinance or the Subdivision Control Act.
  - B. *Relation to setbacks required in Article 4:* Minimum yards for site condominiums as specified in Article 4 for the zoning district in which the site condominium is located shall be provided and be computed as follows:
    - (1) Minimum front yard setbacks shall be equal to the distance between the front yard area line and the condominium dwelling.
    - (2) Minimum rear yard setbacks shall be equal to the distance between the rear yard area line and the condominium dwelling.
    - (3) Minimum side yard setbacks shall be equal to the distance between the side yard area line and the condominium dwelling.
  - C. All site improvements, including sanitary sewers, water mains, storm sewers, retention basins, site grading and street improvements, shall meet or exceed the minimum design standards of the Charter Township of Ypsilanti Engineering Standards and Design Specifications adopted by the Township Board in June 2020, and any subsequent amendments thereto.
5. Notice of proposed action: The notice required by Section 71, of the Condominium Act, Public Act 59 of 1978, as amended (MCL 559.101 et seq.), to be filed with Ypsilanti Township and other agencies.

Sec. 702. – Open space development option:

1. *Purpose:* This Section is intended to carry out the provisions of Section 506 of the Michigan Zoning Enabling Act, Public Act 110 of 2006 as amended (MCL 125.3506 et. seq.) to include an open space preservation development option in the Ypsilanti Township Zoning Ordinance. This Section proposes to accomplish this purpose by allowing the owner of certain parcels of land the option

to develop that land in a manner that groups dwelling units on portions of the land that are most suitable for residential development while requiring the remaining portions of land most suitable for open space use to be perpetually preserved as undeveloped open space. The regulations in this Section are also intended to accomplish the following non-exclusive list of purposes.

- A. Preserve natural drainage systems, open space, farmlands, rural character, woodlands and wetlands, natural topography, and environmentally sensitive areas.
  - B. Achieve a higher quality of residential development than could otherwise be achieved under conventional zoning.
  - C. Permit development that is consistent with the Township’s adopted Master Plan and any other applicable adopted plans.
  - D. Preserve natural vegetation to the extent feasible.
  - E. Preserve open space.
  - F. Facilitate the construction and maintenance of streets, utilities, and public services in a more economical, efficient, and environmentally friendly manner.
  - G. Limit soil erosion potential by reducing the amount of clearing and grading needed for development.
  - H. Encourage a less sprawling form of development, thus preserving open space as undeveloped land.
  - I. Allow for design innovation to provide flexibility for land development where the normal development approach would otherwise be unnecessarily restrictive or contrary to other Township goals.
2. *Review Authority:* The Ypsilanti Township Planning Commission recommends, and Township Board shall have authority to approve or deny applications for an OSDO that is to be developed as a site condominium or a metes and bounds land division. The Township Board shall have authority to approve or deny an application for an OSDO that is to be developed as a subdivision, after recommendation by the Planning Commission. The Township Board shall have final authority to approve or reject the conservation easement and master deed or restrictive covenants for a development under this Section.
3. *Eligible property:*
- A. A parcel of land, which parcel shall be the parent lot for the purposes of this Section, is eligible for an OSDO if all the following requirements are met.
    - (1) The parent lot is zoned R-1, R-2, R-3, R-4, or R-5.
    - (2) The parent lot has an area of at least three (3) acres of contiguous land, not divided by a road.
    - (3) The parent lot is under single ownership control such that a single person or entity has proprietary responsibility for completing and maintaining the development. An applicant applying for an OSDO under this Section shall provide documentation of such ownership or control in the form of agreements, contracts, deeds, or other such evidence as is acceptable by the approving authority to assure that the applicant has sufficient ownership interest in the parcel to bind the land and assure that the development will be completed in its entirety as approved and that the land will continue to be in compliance

and maintained in accordance with the final site plan, preliminary plat as finally approved, and the approved maintenance plan under this Section.

- B. A OSPDO development shall maintain a minimum of thirty percent (35%) of the gross area of the site as dedicated open space held in common ownership.
  - C. Open space preservation developments achieving at least fifty percent (50%) dedicated open space and meeting the provisions of this Section shall be treated as a permitted land use. Open space preservation developments with between thirty percent (35%) and less than fifty percent (50%) dedicated open space but otherwise meeting the provisions of this Section shall be treated as a special land use.
4. *Permitted uses.* The following uses are permitted within an OSPDO:
- A. All residential uses and types permitted in a R-1, R-2, R-3, R-4, and R-5 zoning districts, are permitted in an OSDO under this Section.
5. *Density regulations:* The number of lots or site condominium units permitted on a parcel of land under an OSDO shall be calculated as follows:
- A. For sites not served by public utilities, the number of units shall not exceed the area of the parent lot, in acres, multiplied by:
    - (1) One point two-five (1.25).
    - (2) The minimum area of each lot or site condominium unit in an OSDO shall not be less than the minimum area required by Washtenaw County for well and septic tank/drain field permits.
  - B. For lots served by public utilities, the number of dwelling units permitted shall not exceed the number of dwelling units customarily developable in the zoning district in which the proposed development is located, developed with a conventional layout and all applicable Ordinances and laws observed. In order to calculate density with a conventional subdivision or site condominium layout, the applicant shall submit a concept site plan of the property with a conventional layout. The plan shall indicate the topography of the site at two (2) foot contour intervals and the limits of all floodplains, water bodies, wetlands, easements, and other areas which would be set aside and preserved due to impracticality, economic unfeasibility, contractual prohibition, or based upon applicable law or Ordinance. In addition, the concept plan with the conventional layout shall include the general street pattern and lot configurations. In general, the plan shall be drawn with sufficient detail to permit the Planning Commission to determine the density that would be achieved by conventional development.
  - C. The area of the parent lot shall be as defined in the definition of lot area in Article 2, herein.
  - D. To encourage the use of the OSDO, if all standards set forth in this Section are met, the underlying density established by item B may be increased by up to twenty percent (20%) at the discretion of the Planning Commission. Density bonuses shall be based upon a demonstration by the applicant of at least two (2) of the following:
    - (1) Preservation of Significant Natural Features. Preservation of significant natural features contained on the site, as long as it is in the best interest of the Township to preserve the natural features that might be negatively impacted by conventional residential development. The determination of whether the site has significant natural features shall be made by the Planning Commission, after review of a Natural Features Impact

Statement, prepared by the applicant that meets the requirements for such a statement in Section 1403, Preservation of Environmental Quality; or

- (2) Provision of Recreation Facilities. If the site lacks significant natural features, it can qualify with the provision of usable recreation facilities to which residents and non-residents of the development shall have reasonable access. Such recreation facilities include areas such as a non-motorized mobility improvement, neighborhood parks, passive recreational facilities, soccer fields, ball fields, bike paths, or similar facilities that provide a feature of community-wide significance and enhance residential development; or
- (3) Preservation of Agricultural Land. The determination of whether the site has significant agricultural features shall be made by the Planning Commission after review of a Site Plan, prepared by the applicant, which inventories these features; or
- (4) Provision of Senior Housing. To provide housing opportunities for senior citizens in situations where such opportunities might not otherwise be provided; or
- (5) Inclusion of Environmental Features. To advance the goals of the Township regarding environmental sustainability and stewardship. Environmental features may include:
  - a. Sustainable building construction including but not limited to LEED certification or practices, "solar ready" construction standards, "EV Ready" parking locations (this could be for each unit or at the community level); or
  - b. Development level or "Community" green features including but not limited to community compost facilities, community solar and/or geothermal energy harvesting capabilities (including these features in the open greenspace), green infrastructure, parking lot green infrastructure, rainwater management for irrigation of greenspaces, and "smart lighting" of sidewalks/community spaces.

6. *Minimum required yards.*

- A. Each lot or site condominium unit in an OSDO shall provide the following minimum required yards in the Open Space Required Yards Table below. If property lines do not exist between houses, the setbacks shall be measured to an imaginary line of equal distance between the houses. A duplex shall be treated as a single-detached residence for the purpose of determining required setbacks.

*Open Space Required Yards Table*

R-1 District	Front	Twenty-five (25)
	Side	Twenty (20) feet
	Rear	Thirty-five (35) feet
R-2 District	Front	Twenty-five (25) feet
	Side	Sixteen (16) feet

	Rear	Thirty (30) feet
R-3	Front	Twenty-Five (25) feet
	Side	Ten (10) feet
	Rear	Thirty (30) feet
R-4 and R-5 District	Front	Twenty-Five (25) feet
	Side	Five (5) feet
	Rear	Twenty-five (25) feet

- B. Perimeter setback: The perimeter setback for principal structures from all of the borders of the development shall be equal to the rear yard setback requirement for the underlying zoning district of the property directly adjacent to each border. The required open space areas may be located partially or completely within the perimeter setback.
- 7. *Minimum lot width:* Each lot or site condominium unit in an OSDO shall have the following minimum widths, provided that the length to width ratio of any lot or unit shall not exceed four to one (4:1):
  - A. R1: 80
  - B. R2 and R3: 60
  - C. R4 and R5: 50
- 8. *Regulatory flexibility:* The Township Board, upon recommendation by Planning Commission, may waive the lot coverage; impervious surface percentage; floor area ratio; front, side, rear, perimeter setback; and minimum lot width requirements provided that the applicant has demonstrated innovative and creative site and building designs and solutions, and environmentally friendly practices which would otherwise be unfeasible or unlikely to be achieved absent this provision.
- 9. *Dedicated open space requirements:*
  - A. An OSDO development shall maintain a minimum of thirty percent (35%) of the gross area of the site as dedicated open space held in common ownership.
  - B. The open space area within a proposed OSDO shall be located so that it preserves significant natural resources and/or connects open spaces throughout the development and with adjacent open space.
  - C. The open space shall be connected with existing or potential open space and/or adjacent public land where feasible.
  - D. An accessory structure(s) for permitted uses may be erected in the open space in accordance with the approved site plan or plat.



- E. Except in cases where the applicant proposes agricultural use in the open space area that is independent from the proposed residential uses in the development, all owners of lots or site condominium units in an OSDO shall be permitted access to the dedicated open space. Use of dedicated open space may be restricted to property owners in the development. However, community gardens, where individual lots may be assigned, are permitted.
- F. The applicant shall submit an open space management plan for maintaining the dedicated open space with the application for the OSDO.
- G. An owner's association shall be created for a development under this Section which shall own and be responsible for maintaining the dedicated open space. Each property owner shall be a member of the association.
- H. Where a development under this Section is proposed in phases, the Township may require that all land to be dedicated as open space shall be included in the first phase of the development.

10. *Guarantee of dedicated open space:*

- A. The applicant for an OSDO shall set aside the dedicated open space through an irrevocable conveyance that guarantees the dedicated open space will remain perpetually open and will be maintained in the manner approved by the Township Board. This conveyance shall be in the form of a permanent conservation easement.
- B. The purpose of the conservation easement shall be to ensure that dedicated open space will be:
  - (1) Protected from all forms of development and limited to the uses and structures as approved;
  - (2) Shown on an approved site plan or plat; and
  - (3) Never changed to another use.
- C. The conservation easement shall contain, at a minimum, the following provisions that:
  - (1) Describe the permitted use(s) within the dedicated open space.
  - (2) Prohibit the storing and/or dumping of refuse and any hazardous materials or refuse on the dedicated open space.
  - (3) Prohibit any activity that might cause risk of soil erosion on the dedicated open space except for accepted agricultural practices.
  - (4) Prohibit the use of motorized vehicles and or motorized watercraft on the dedicated open space.
  - (5) Prohibit all cutting, filling, or removal of vegetation from wetland or wooded areas in dedicated open space, except for invasive species and as otherwise needed for acceptable resource management practices.
  - (6) Prohibit the use of pesticides, herbicides, or fertilizers within or adjacent to wetlands in a dedicated open space.
  - (7) Require that the owner's association maintain the dedicated open space in accordance with the approved management plan.

- (8) Provide for maintenance of the dedicated open space to be undertaken by the Township Board, and the costs thereof assessed against the person or entities responsible for maintaining the dedicated open space, if:
    - a. There is a failure to adequately maintain the open space in accordance with the approved maintenance plan; or
    - b. The Township Board determines that the dedicated open space is a public nuisance.
  - (9) Require that the conservation easement runs with and is binding upon the land and shall be recorded with the deeds to all parcels created and proposed as part of a development under this Section.
  - (10) Provide that, if the owners association, or any land trust or conservancy holding the conservation easement, ceases to exist, the easement shall revert to Ypsilanti Township.
  - D. At the option of the applicant and the approval of the Township Board, the conservation easement may be dedicated to and held by the Township or a recognized land trust or conservancy. The easement shall be in a form acceptable to the Township and shall be duly recorded in the Washtenaw County Register of Deeds office. This provision does not prohibit a transfer of ownership or control, provided such transfer or control has prior approval of the Township Board and the property in the OSPDO continues in compliance with the Township's original approval.
11. *Review procedures:* An application for an OSDO shall be reviewed as follows:
- A. *Subdivisions:* If an OSDO is for a subdivision, review of the preliminary and final plats shall proceed as provided in the Ypsilanti Township Subdivision Ordinance and the Charter Township of Ypsilanti Engineering and Design Specifications.
  - B. *Site condominiums:* If an OSDO is for a site condominium, review shall proceed as provided in Section 701 and Article 9 of the Zoning Ordinance and the Charter Township of Ypsilanti Engineering and Design Specifications.
12. *Review standards:* A proposed OSDO shall meet all the following standards for approval. The Planning Commission shall make the necessary findings for compliance with this Section upon its review of the final site plans for site condominiums and metes and bounds land divisions under this Section. It shall be the responsibility of the Township Board to make such findings for subdivisions developed under this Section after review and recommendation by the Planning Commission. All findings shall be in writing and shall be recorded in the minutes of the meeting at which the decision is made.
- A. The proposed OSDO must be consistent with the Township's adopted Master Plan and any other applicable adopted plan.
  - B. The proposed OSDO must not adversely affect existing or future uses or the value of adjacent properties.
  - C. A site plan shall meet all requirements and standards for preliminary and final site plans as provided in Article 9 of this Ordinance Chapter 24 of the Charter Township of Ypsilanti Code of Ordinances, Development, and all requirements and standards of the Charter Township of Ypsilanti. A subdivision plat shall meet all requirements and standards for preliminary and final plats in the Township's Subdivision Control Ordinance and the Charter Township of Ypsilanti Engineering and Design Specifications.

- D. The proposed OSPDO must meet all requirements and standards in this Section and all other applicable provisions of this Ordinance.
- E. The proposed OSPDO must comply with all applicable federal, state, and local rules and regulations.

13. *Design standards:*

- A. The OSDO shall be designed to promote preservation of natural features. Lots or site condominium units, roads, storm water management facilities, and other improvements shall be designed and situated to minimize alteration of or intrusion into the natural environment.
- B. Lots or site condominium units not served by public utilities shall be located on soils that are most suitable for drain fields.
- C. Dwelling units shall be located away from environmentally sensitive areas. They shall not be located in areas most suitable for open space. Dwelling units shall be located as far as possible from agricultural areas.
- D. Placement of wells, septic tanks, and drain fields shall comply with all requirements of Washtenaw County.
- E. Each lot or site condominium unit shall have access to and frontage on an approved street.
- F. Pedestrian access shall be provided within a development between lots or site condominium units and non-agricultural open space, between open space areas, and to appropriate on and off-site uses.
- G. The Township Board may require that structures of historic, cultural, or architectural significance on the site of an OSPDO be retained, if suitable for rehabilitation. Adaptive reuse for a permitted use may be permitted.

14. *Conditions of approval:* The Township Board may impose reasonable conditions for approval of an OSDO that will assure that the development and all elements of the proposed OSPDO will be consistent with the intent and purpose of requirements in this Section, the Zoning Ordinance, Subdivision Control Ordinance, and the Charter Township of Ypsilanti Engineering and Design Specifications.

15. *Recording of action:*

- A. After approval of a final site plan or final approval of a preliminary plat by the Township Board, the applicant shall record a development agreement, approved by the Township Attorney with the Washtenaw County Register of Deeds that contains the full legal description of the property in the OSDO, specifies the date of Township approval, states the conditions the Planning Commission or Township Board imposed, and declares that all improvements will be carried out pursuant to the approved OSDO plan or plat, unless an amendment is endorsed by the or Township Board. The deed restrictions and conservation easement shall be duly filed with the Washtenaw County Register of Deeds. The applicant shall promptly submit copies of the recorded documents to the Township Clerk.
- B. After approval of a final site plan or final approval of preliminary plat by the Township Board, the Township Zoning Administrator shall promptly record the approval of the OSDO on the Township's official zoning map, which entry shall be signed by the Township.

16. *Time limits:*

- A. An approved OSDO shall expire and be of no effect if construction does not commence within twelve (12) months after approval unless the Township Board approves an extension. If the applicant does not comply with the conditions specified in the approval, the approving authority or the Zoning Administrator shall issue a stop work order and no further work shall be done until such time as the conditions are met to the satisfaction of the approving authority.
- B. Each phase of a development shall be commenced within twelve (12) months of the schedule set forth in the approval. If construction of any phase is not timely commenced as provided herein, the approval of the OSDO shall become null and void and no further work may be conducted on the site until such time as adequate assurances to the satisfaction of the approving authority are made that the development will be completed as approved by a date certain as determined by the approving authority.
- C. The applicant may apply in writing to the Township Board for an extension of time in which to commence and/or complete construction, prior to the expiration date of the approval. The application for extension must include an explanation of reasons justifying the requested extension. The body granting the original approval may grant a requested extension not exceeding twelve (12) months for good cause.

17. *Continuing compliance:*

- A. An applicant who fails to comply with the approved final site plan or the preliminary plat as finally approved, whichever applies, shall be deemed in violation of the Zoning Ordinance, and subject to enforcement and penalties as provided in Section 1900, Violations, civil infractions of the Zoning Ordinance.
- B. A development agreement and performance guarantee shall be required as a condition of final site plan and preliminary plat approval. The guarantee and agreement shall be in a form approved by the Township Board and shall ensure completion of a proposed OSDO as approved.