

## **ORDINANCE NUMBER 65**

The following amended text for Section 16.19 of the Manchester Township Zoning Ordinance was approved by the Township Board:

### **SECTION 16.19 – SITE CONDOMINIUM REVIEW**

A. Approval Required – Pursuant to authority conferred by SECTION 141 of the Condominium Act, preliminary and final site plans for all site condominiums shall be approved by the Planning Commission.

#### **B. General Requirements**

1. No permits for building construction, grading, or installation of public water or sanitary sewerage facilities shall be issued for property in a site condominium development until a final site plan has been approved by the Township Planning Commission and is in effect. However, the Planning Commission may, at its discretion, and with appropriate conditions attached, authorize the Building Inspector to issue permits for grading and foundation work on the basis of the approved preliminary site plan. This requirement shall include contractible, conversion and expandable condominiums.
2. If a building, structure, or use to be placed on a condominium lot requires site plan approval under SECTION 15.02 herein, a site plan for that building, structure or use shall be approved in accordance with ARTICLE 15.0, herein, before a certificate of zoning compliance may be issued.
3. The Planning Commission shall have the authority to review and approve or deny preliminary and final site plans for site condominiums.
4. Preliminary and final site plans shall be submitted, reviewed, and approved or denied in accordance with ARTICLE 15.0, herein, provided however, that preliminary and final site plans shall not be combined for the site condominiums. A dimensionally stable copy of the as-built drawings shall be submitted to the Township Clerk and a second dimensionally stable copy shall be recorded with the Washtenaw County Register of Deeds.
5. Each condominium unit shall be located within a zoning district that permits the proposed use.
6. For the purposes of this Ordinance, each condominium unit 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 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 except in a PUD district. Required yards shall be measured from the boundaries of a condominium lot. Lot coverage and floor area ratio shall be calculated using the land area of the condominium lot.

7. Each condominium unit shall be connected to water and sanitary sewer facilities where available, or shall have a well, septic tank, and drainfield approved by the County Health Department where Township water and sanitary sewer services are not available. The well, septic tank and drainfield serving a condominium unit shall be located within that unit, as described in the master deed, except in a PUD district, in which case this requirement may be waived by the Township Board as part of its approval of the PUD district rezoning application.
8. Relocation of boundaries between adjoining condominium units, if permitted in the condominium documents, as provided in the Condominium Act, shall comply with all regulations of the zoning district in which located and shall be approved by the Zoning Administrator. These requirements shall be recorded as part of the master deed.
9. Each condominium lot that results from a subdivision of another condominium lot, if such subdivision is permitted by the condominium documents, as provided in the Condominium Act, shall comply with all regulations of the zoning district in which located, and shall be approved by the Zoning Administrator. These requirements shall be recorded as part of the master deed.
10. All information required by this Ordinance shall be updated and furnished to the Zoning Administrator until applicable certificates of zoning compliance have been issued, as provided in SECTION 18.03, herein.

#### C. Preliminary Site Plan Requirements

1. A preliminary site plan shall be filed for approval at the time the notice of proposed action is filed with the Township.
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 15.03, 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 the condominium lots rather than individual buildings or other structures, and required yards shall be shown on the preliminary site plan.

#### D. Final Site Plan Requirements

1. A final site plan shall be filed for review for each phase of development shown on the approved preliminary site plan.
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 is in effect.
3. A final site plan shall include all information required by the Condominium Act, and the master deed and bylaws. The final site plan shall also include all information required in SECTION 15.04, herein, except in the case of a development that consists only of condominium lots rather than buildings or other structures at the time of plan review, the location and dimension of condominium lots rather than individual buildings or other structures and required yards, shall be shown on the site plan.
4. The applicant shall provide proof of approvals by all County and State agencies having jurisdiction over improvements in the site condominium development, including but not limited to the County Road Commission, County Drain Commissioner, County Health Department, and the Michigan Department of Natural Resources. The Planning Commission shall not approve a final site plan until each County or State agency having such jurisdiction has approved that portion of the final site plan that is subject to its jurisdiction.

#### E. 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 Planning Commission before any building permit may be issued, where such permit is required.

#### F. Amendment of Master Deed or Bylaws

Any amendment to a master deed or bylaws 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 Planning Commission before any building permit may be issued, where such permit is required. The Planning Commission 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.

#### G. Design and Development Standards

1. General: The standards set forth in this Section shall be considered minimum requirements. Where the adopted general development plan requires high standards, such higher standards shall apply. Variances from the standards set forth in this Section shall be considered according to the standards of ARTICLE 20.0, "Zoning Board of Appeals."

## 2. Streets

- a. **Street Layout:** Street layout shall conform to the adopted general development plan or portion thereof relating to streets. Public streets shall be developed to the approved standards of the Washtenaw County Road Commission. Private streets shall be developed to approved standards of Manchester Township as provided in General Ordinance #53, Multiple Residence Driveways and Residential Private Roads. The arrangement of streets in the development shall provide for the construction of streets in adjacent developments where such extension is not precluded by topographic or other existing conditions. The layout shall provide for proper projection of streets into adjoining properties not yet developed.

Local streets shall be laid out so as to discourage their use by through traffic.

Streets shall be arranged in proper relation to topography so as to result in usable lots, safe streets, and reasonable grades, both for the streets and for driveways intersecting therewith.

All street construction shall be centered in the street right-of-way. Section line and quarter line roads shall be centered on these lines unless the Township Engineer or County Road Commission approves an exception.

- b. **Drainage:** All streets shall be provided with facilities for adequate surface drainage. Storm drains shall be underground and only curb-type design shall be permitted. Exceptions may be made for subdivisions in which each single-family dwelling lot is one acre or larger in area and has a minimum road frontage of 150 feet.
- c. **Alleys:** Alleys shall be prohibited, except in commercial and industrial developments. Where alleys are provided they shall be at least 30 feet wide. Dead-end alleys shall be prohibited. Alleys shall be provided in accordance with standards of the County Road Commission.
- d. **Marginal Access Streets:** Where marginal access streets are required, the proprietor shall dedicate property for the purpose of marginal access streets to the County Road Commission and shall be responsible for improving said streets according to County Road Commission standards. A landscaped strip at least twenty (20) feet wide shall be provided between a marginal access street and the adjacent street.
- e. **Other Required Streets:** Where a development borders or contains a railroad right-of-way or limited access highway right-of-way, the

Planning Commission may require a street approximately parallel to and on one or both sides of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

- f. Special Treatment Along Major Streets: When a development abuts or contains an existing or proposed arterial or collector street, the Planning Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along with rear property line, or such other treatment as might be necessary for adequate protection of residential properties, to afford separation of through and local traffic, and to retain the traffic carrying capacity of the arterial or collector streets.
  - g. Location for Utilities: Utilities shall be located so as to best conform to the layout of existing facilities.
  - h. Street Standards and Specifications: Streets shall be provided in accordance with applicable standards and specifications and shall include turn, merge, and by-pass lanes as the Planning Commission deems necessary.
3. Blocks: Blocks generally shall not be less than 160 feet or more than 1320 feet in length as measured from the centerlines of streets. No block width shall be less than twice the normal lot depth except where lots back onto a major street, natural feature, or development boundary. In blocks exceeding 800 feet in length the Planning Commission may require reservation of an easement through the block to provide for the crossing of underground utilities and/or pedestrian traffic where needed or desirable, and may specify further, at its discretion, that a paved foot path be provided by the proprietor. Blocks intended for nonresidential uses shall be especially designed for such purposes, and in accordance with zoning ordinance provisions. In such cases the above dimensions do not apply.

#### 4. Lots:

- a. Dimensions: Lots shall conform to the requirements of the zoning ordinance except for outlots that are provided for an indicated and approved purpose.

Corner lots shall have extra width to permit appropriate building setback. Lots abutting a pedestrian mid-block crosswalk or other right-of-way shall be treated as corner lots.

Residential lots shall not open or face directly onto a freeway right-of-way, an arterial or collector street, shopping centers,

industrial districts or parks, and other similar non-residential uses. In such situations, lots shall be laid out in one of the following ways:

- 1) Lots may back onto the above features, but shall be separate therefrom by a 20 foot wide landscaped strip along the rear property line. The 20 foot wide strip shall not be considered part of the lot's minimum length, width, or area, but shall be considered part of the contiguous lot.
- 2) The corner lots which abut the major street right-of-way or the non-residential area shall each have the landscape strip as required in SECTION 4(a)(1), preceding.
- 3) Lots may be grouped around cul-de-sac or loop streets which open onto the major street. In such situations the corner lots abutting the major street right-of-way shall each contain the landscaped strip required in SECTION 4(a)(1), preceding.

Any landscaped strip required above shall not be part of the normal road right-of-way or utility easement.

- b. Lot Frontage: Lots extending through a block are generally prohibited except where they back onto a freeway right-of-way, an arterial or collector street, a shopping center, an industrial district, a park, or other similar non-residential area.

All lots shall abut, by their full frontage, on a public or private street.

- c. Lot Lines: Side lot lines shall generally be perpendicular to the right-of-way lines or radial to curved streets. All side and rear lot lines should be straight lines unless natural features or street curvature so prevent. Variations in these provisions may be made when in the opinion of the Planning Commission such variation would result in a better arrangement of lots.

- d. Lots to be Buildable: The lot arrangement shall be such that in constructing a building in compliance with the zoning ordinance, topography or other natural conditions will not create difficulties in locating the building and driveway and in providing adequate yard areas. Acute angles created by side lot lines, and odd shaped lots should be avoided.

The size, shape, and location of each lot shall have the following characteristics:

- 1) A suitable site for placing a house without excess grading;

- 2) A usable area for outdoor living and other outdoor activities;
- 3) Adequate surface drainage away from the house site and outdoor living areas;
- 4) Reasonable driveway grades; and
- 5) General site grading should be minimized with significant trees and other vegetation retained.

e. Access: Driveways and curb cuts shall conform to standards of the County Road Commission and the standards of all Township ordinances. The curb section of driveways and aprons shall be designed so that excessive breakover angle and vehicle dragging will be eliminated.

No lots or units shall be permitted driveway access from a road that is not an interior road of the condominium development.

f. Reserve Strips: Privately held reserve strips controlling access to streets shall be prohibited, except as provided in SECTION 2 i), herein.

g. Non-Residential Lots: Lots intended for uses other than residential shall be identified on the plan, and shall be specifically designed for such uses, in accordance with provisions of this ordinance and the zoning ordinance.

5. Pedestrian Ways and Sidewalks: Pedestrian ways, other than sidewalks in street rights-of-way, shall be at least 20 feet wide, when required. The Planning Commission may require a paved walkway to be provided by the proprietor. The pedestrian way shall be treated as an easement.

Sidewalks are required on both sides of a street, or one side of a street, depending upon the density of and location of the development, or, in very low density developments (one acre or larger lots) may be excepted entirely, according to the discretion of the Planning Commission. Street rights-of-way shall be sufficient to provide for sidewalks on both sides of the street, except in cluster subdivisions, or planned unit developments, where variations may be permitted. Streets leading directly to a school shall have sidewalks on both sides of the streets.

Sidewalks shall be developed and placed in compliance with M.D.O.T standards and the review of the Township Engineer.

6. Natural Features: The development shall, wherever possible, preserve natural features which add value to the proposed development and to the community at large, such as large trees or groves of trees, water courses,

vistas, historic spots and features, wildlife habitats and ecological areas. The location, nature, and extent of such features shall be identified on the preliminary plat. The preservation and/or inclusion of such features may be made a condition of approval of the development.

7. Uninhabitable Areas: Lands subject to flooding, or otherwise deemed uninhabitable in their natural state shall not be developed for residential use, or for any other use that might create a danger to health, safety, or property, or which might increase the flood hazard within or outside the subdivision. Such lands shall be set aside for recreational use or shall be retained in their natural state as open space. Any areas of land within the proposed development which lie either wholly or partly within the flood plain of a river, stream, creek, or lake, or any other areas which are subject to flooding by storm water shall be clearly shown on the preliminary and final site plan.

## 8. Utilities

### a. Storm Drainage

- 1) All developments shall adequately provide for storm water runoff. The storm water drainage system shall be separate and independent of any sanitary sewer system. A copy of design computations shall be submitted with drainage plans. All drainage improvements shall conform to the current standards of the Washtenaw County Drain Commissioner and Manchester Township.
- 2) Adequate provisions shall be made for proper drainage of storm water runoff from individual lots. Drainage easements may be required to assure proper drainage. The Township may require that catch basins be provided in said easements, and may require that drainage tile be provided for easement drainage. The depth, grade and outlet for said tile shall be subject to approval by the Township Engineer.
- 3) Where a development is traversed by a water course, drainage way, channel, or stream, a storm water easement or drainage right-of-way shall be provided, conforming substantially to the lines of such water course, and to the current standards of the Washtenaw County Drain Commissioner. Wherever possible, drainage should be provided by an open channel with landscape banks and adequate width for maximum potential flow. Existing drainage ways may be rechanneled but such rechanneling shall not increase the rate or level of flow, or cause impoundment of water within the proposed subdivision, or on properties upstream or downstream therefrom.

Exceptions may be made if such changes conform to an overall drainage plan for the drainage district.

- 4) Where topography or other conditions make inclusion of drainage facilities within road rights-of-way impractical, perpetual unobstructed easements at least 20 feet in width for such drainage facilities shall be provided across property outside the road lines, and with satisfactory access to the road. Easements shall be indicated on the site plan. Drainage easements shall be carried from the road to a natural water course or to other drainage facilities. Such easements shall be placed so as not to interfere with the use of lots.

If a proposed drainage system will carry water across private land outside the development, appropriate drainage rights shall be secured.

- 5) Low-lying lands along water courses subject to flooding during storm periods, whether or not included in areas for dedication, shall be preserved and retained in a natural state as drainage ways. Such lands shall not be utilized in computing the area requirement of any lot.
- 6) All natural water drainage ways and impoundment areas shall be preserved at their natural gradient and shall not be filled or interfered with in any way, except as approved by the Washtenaw County Drain Commissioner. If, in the judgment of the Drain Commissioner, a natural water drainage way or impoundment area should be reserved, a storm drainage easement acceptable to the Drain Commissioner shall be provided.
- 7) The proprietor may be required to carry away any spring or surface water that might exist either previous to, or as a result of, the development, by pipe or open ditch, in appropriate easements.
- 8) A culvert or other drainage facility in a proposed subdivision shall be large enough to accommodate potential runoff from its entire upstream drainage area, whether that area is inside or outside the development. The design and size of the facility shall be reviewed and recommended for approval by the Township Engineer.
- 9) The effect of the subdivision on existing downstream drainage facilities outside the development shall be reviewed by the proprietor with the County Drain Commissioner. Where it is anticipated that the additional run-off resulting from

development of the subdivision will overload an existing downstream drainage facility during a 10 year or larger storm, the Planning Commission shall not approve the development until adequate provision has been made for resolving downstream drainage problems.

10) Storm water basins may be required in order to control the discharge of storm water from a proposed development. Design criteria and engineering plans for basins shall be subject to approval by the Township Engineer.

b. Water Supply Facilities: Water supply facilities shall be designed and located according to the specifications and procedural requirements of the Michigan Department of Public Health. On-site services and private water systems shall be designed according to requirements of the County Health Department.

c. Sanitary Sewerage Facilities:

1) Where public sanitary sewerage facilities are available, sewers shall be installed to serve each lot.

2) Each lot in a development which is served by public sanitary sewers shall be connected to a sanitary sewer line before occupancy of that lot shall be permitted.

3) If sanitary sewerage facilities are not available, minimum lot sizes shall conform to requirements of the County Health Department. In no case shall the minimum lot size be less than that required by the zoning district in which located. The individual disposal system shall be approved by the County Health Department.

d. Gas, Wire, and Cable Utilities: All lines for telephone, electrical, television, and other services distributed by wire or cable shall be placed underground throughout the development. Overhead lines may be permitted upon approval by the Planning Commission at the time of preliminary site plan approval where it is determined that such lines will not impair the health, safety, general welfare, design, appearance, and character of the subdivision, and only where such overhead lines are brought to the perimeter of the subdivision. This Section shall not be construed to prohibit the construction above ground of surface equipment associated with an underground distribution system, such as, but not limited to, surface mounted transformers, power terminal pedestals, meters and meter boxes, concealed wires, street lights and street light poles.

All facilities, including those for gas distribution, shall be installed in accordance with standards and specifications of the Michigan Public Service Commission. The layout of such facilities shall be submitted to the utility companies having jurisdiction in the area for their review before filing for final approval of the plan. All said utilities placed in public rights-of-way shall not conflict with other underground lines. Easements shall be provided in accordance with 9, below.

9. Easements: All underground public utility installations which traverse privately owned property shall be protected by easements granted by the proprietor and approved by the public utility. Such easements shall be so located as to not interfere with the use of any lot or other part of the subdivision. The size of, and restriction pertaining to, such easements shall be in accordance with the standards and specifications of the agency having jurisdiction over the utility lines and the Land Division Act, and shall be indicated on the site plan submitted for preliminary approval.
10. Reservation of Public Use Areas: Where a proposed park, playground, open spaces, public school, library or other public use area shown in the adopted general development plan, or in an adopted applicable part of such plan, is located in whole or in part in a proposed development, such area or areas shall be shown on the site plan. Such area or areas may be dedicated to the Township or other applicable public agency by the proprietor if the Township Board or other applicable public agency approves such dedication. Such areas, if not dedicated, shall be reserved by the proprietor for future purchase by the Township or other appropriate public agency.

The precise nature, location, and extent of the reservation shall be determined prior to final site plan approval by the Planning Commission. The reservation shall be valid for a period of one year from the date of final approval or such longer period as might be agreed to in writing by the proprietor. Unless during such one-year period or agreed longer period the Township or other public agency shall have entered into a contract to purchase the reserved area or instituted condemnation proceedings according to law to acquire the fee simple or a lesser interest in the reserved area, the right to develop the reserved area shall revert to the proprietor at the end of the one-year period or agreed longer period. The reservation shall freeze the price per acre of the reserved area for such one-year period at the average value per acre on the date when the plan was first filed with the Clerk. The plan shall include provisions for incorporating the reserved area into the overall development, if said reserved area reverts to the proprietor.

11. Mobile Home Subdivisions: Where a mobile home development falls within the definition of mobile home condominium project as set forth in the Condominium Act, said development shall be developed in accordance

with the Condominium Act and this ordinance. All provisions of this ordinance shall apply except for, or in addition to, the provisions of this Section. A mobile home condominium project may also be developed as a planned unit development.

All streets and driveways in the development shall conform to the standards set forth in SECTION G(2), herein. There shall be no residential lot access to a collector street within the development; all such access shall be provided by minor residential streets.

Collector street dimensions shall conform to County Road Commission specifications.

Each lot shall abut and have direct access to a public or private street. Lots should be laid out so as to provide a variety of shapes and sizes and to prevent a monotonous character.

Sidewalks and pedestrian ways shall be provided in accordance with SECTION G(5), herein, except that sidewalks along streets may not be required when pedestrian ways provide acceptable alternative means of pedestrian movement.

All lots shall be connected to sanitary sewer and water systems approved by the Township. Such facilities shall meet the requirements of this ordinance and all other applicable Township ordinance and regulations.

Fuel oil and/or gas storage tanks shall be located in an inconspicuous manner either by placing the tanks underground or by enclosing them with a screen of shrubbery. All fuel lines leading to the subdivision and to mobile home sites shall be underground and so designed as to conform with the Township Building Code and any State code that is applicable.

When a master television antenna is provided, all lines extended to individual lots shall be underground. Such master antenna shall be so placed as not to be a nuisance to subdivision residents or surrounding areas.

A buffer of trees and shrubs not less than 20 feet in width shall be located and maintained along all boundaries of such development, excepting at established entrances and exits serving the development. When necessary for health, safety and welfare, a fence shall be required to separate the subdivision from adjacent property.

12. Commercial and Industrial Subdivisions: Commercial and industrial development which constitute condominium projects as defined in the Condominium Act, shall conform to the provisions of this ordinance, except for modifications provided in this Section.

All streets in a commercial development shall be paved, and be designed and constructed to adequately handle truck traffic. Curb side parking and loading shall not be provided for, nor permitted on, any side street. No backing or similar maneuvering of vehicles to enter or leave a parking or loading space shall be permitted or provided for; such movements shall be adequately provided for on each lot. Streets within a development, except major thoroughfares and collector streets, shall be laid out so as to prohibit through traffic. Streets and other access ways shall be planned in connection with the grouping of buildings, location of rail facilities, where applicable, and the provision of truck loading and maneuvering areas, walks and parking area, so as to minimize conflict of movement between the various types of traffic, including pedestrian.

Entry drives for the development shall be located and designed so as not to create congestion or hazardous conditions on public streets serving the subdivision. Driveways from parking and/or loading areas shall intersect streets at a distance from intersections that is large enough to permit safe and convenient maneuvering of vehicles.

The block sizes set forth herein shall not apply. The blocks shall be designed to meet the needs of the uses that will occupy the subdivision. However, block sizes shall meet the requirements of fire protection, snow removal, and other service and emergency vehicles.

Lots shall have access from development or frontage streets, and shall not open directly onto arterial or collector streets.

Sidewalks and/or pedestrian ways shall be provided, except where the Planning Commission determines that such facilities are not required for the safety and convenience of pedestrians within or around the development.

Buffer strips shall be provided along the perimeter of a commercial or industrial development according to zoning ordinance requirements. The Planning Commission may require provision of a fence, wall or screen if it determines such is necessary to protect the adjacent areas from litter, trespass and other nuisances. Any intended future expansion of the development should be shown on the preliminary site plan.

13. Planned Unit Development: Developments in a PUD zoning district may be granted certain variances from this ordinance. Such variances are intended to accommodate the site planning, financial, engineering, and other requirements of large, comprehensive developments with associated uses. Such variances may include, but are not limited to, time extensions, flexible schedules for installation of improvements, security requirements for improvements, reductions in minimum lot areas and dimensions, mixtures of residential densities and building types, mixtures of residential and nonresidential structures, and modifications in the design and development standards set forth in this Article.

14. Soil Erosion and Sedimentation Control: The final site plan shall contain proposed erosion and sedimentation control measures. The measures shall be incorporated into the final construction drawings. Erosion and sedimentation control measures shall conform to adopted standards and specifications of the Washtenaw County Soil Erosion Ordinance.
15. Trees: Trees shall be provided in the margins of both sides of all streets, and shall be placed at the minimum rate of two per single family residential lot or at a maximum distance apart of 60 feet. Trees may also be required to be installed according to the same distances in pedestrian ways. Trees to be installed in the street margins shall be of the large deciduous type — such as oak, maple, ash or sycamore. However, ornamental trees may be installed in the margin. Both kinds of trees may be provided in pedestrian ways. These requirements may be relaxed by the Planning Commission if existing trees within the right-of-way or easement, or trees growing adjacent to the right-of-way or easement satisfy the intent of this ordinance.

The following trees are not permitted in the street margins, pedestrian ways, or any other landscaped area required by this ordinance: box elder, soft maple, American elm, poplar, ailanthus (tree of heaven) and willow.

All required trees shall be nursery grown and shall be sound and healthy at the time of planting. Root systems shall be balled and wrapped or shall be planted by means which will not disturb the root systems. Required trees shall be protected from damage by wind and other elements; guy wires and ropes, where provided, shall not damage bark or break branches. Trees shall be guaranteed by the proprietor for one full year after planting, with dead or otherwise unacceptable trees to be replaced by the proprietor, at the proprietor's expense, during the guarantee period.

Landscape plans shall be reviewed and recommended for approval by the Township consultant.

16. Street Lights: Street lights, where provided, shall have underground wiring. Light standards shall meet the minimum specifications of the electric utility company serving that area of the proposed subdivision. Where lights are to be provided, they shall be installed prior to the occupancy of structures within the development. Street lights shall be provided in all developments except those of one acre or larger residential lots, and commercial and industrial subdivisions, where their installation shall be at the discretion of the Planning Commission.

## H. Development Agreement

The Planning Commission may require, as a condition of approval, that the applicant enter into a development agreement with the Township, incorporating therein the terms and conditions of final site plan approval, and record the same in the office of the Register of Deeds for Washtenaw County.

- I. Any application for a building permit for construction to be located in a general common element shall include written authorization for the application by the Condominium Association.
- J. Monuments shall be set at all boundary corners and deflection points and at all road right of way intersections 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 year, on condition that the developer deposit with the Township Clerk cash, a certified check, or an irrevocable bank letter of credit running to the Township, whichever the developer selects, in an amount as determined from time to time by resolution of the Township Board. Such deposit 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 not to exceed the amount of the security deposit.

- K. Road rights of way shall be described separately 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 to the Township for all public water and sanitary sewer lines and appurtenances.
- L. All improvements in a site condominium shall comply with the design specifications as adopted by the Township Board and any amendments thereto.

I, Ann M. Becketl, Clerk of Manchester Township, Washtenaw County, Michigan, hereby certify as follows:

1. The preceding ordinance was adopted by the Manchester Township Board of Trustees at their regular meeting held on February 13, 2007, and that members Huber, Widmayer, Kolon, Becketl, Mann and Macomber voted in favor of adoption, none voted against. Absent Schmitt.
2. A summary of the ordinance was published in the *Manchester Enterprise* on February 22, 2007.
3. The effective date of the ordinance is March 1, 2007.

Ann M. Becketl, Clerk