



**REGULAR OF THE
CHARTER TOWNSHIP OF COMSTOCK PLANNING
COMMISSION**

THURSDAY, MARCH 12, 2026 at 6:00 PM

NOTICE AND AGENDA

**5858 KING HIGHWAY
COMSTOCK TOWNSHIP HALL**

Call to Order

Pledge of Allegiance to the Flag of the United States of America

Approval of Agenda

Approval of Minutes

February 19, 2026 Meeting Minutes- DRAFT

February 26, 2026 Meeting Minutes- DRAFT

Citizen Comment

A citizen may state their name and address and may speak only one time, for no more than three (3) minutes. This time may not be given to another citizen to extend their time. The person speaking has the floor and no other citizen shall speak during someone else's time. During this time, you will be making statements to the Board, without discussion from the Board members, but you are welcome to make an appointment with Planning & Zoning staff to discuss your comments further. Please keep comments clean and respectful.

New Business

Step One Review and Public Hearing - Leigh Avenue Site Condominium

Old Business

Landscaping with sample ordinances

Planned Unit Development Revisions

Any Other Business

Citizen Comment

A citizen may state their name and address and may speak only one time, for no more than three (3) minutes. This time may not be given to another citizen to extend their time. The person speaking has the floor and no other citizen shall speak during someone else's time. During this time, you will be making statements to the Board, without discussion from the Board members, but you are welcome to make an appointment with Planning & Zoning staff to discuss your comments further. Please keep comments clean and respectful.

Updates from Other Boards

Training Updates

Informational/Future Action Items

Planning Commissioner Comments

Adjournment



MEMO

Charter Township of Comstock Planning Commission March 12, 2026

From: Khayci Bryant, Planner

Re: February 19, 2026 Meeting Minutes- DRAFT

Attachments:

[2026_02_19 Comstock PC Meeting Minutes .docx](#)

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**COMSTOCK CHARTER TOWNSHIP
PLANNING COMMISSION
MINUTES OF MEETING HELD FEBRUARY 19, 2026**

A meeting of the Comstock Charter Township Planning Commission was held on Thursday, February 19, 2026 at the Comstock Township Hall beginning at 6:00 p.m.

Members Present: Amber Lawrence, Chair
Larry Nichols, Vice Chair
James Criteser, Secretary
Greg Nowak
Bub Sherwood
Joseph Weintraub
Sandy Bloomfield

Members Absent: None

Also in attendance was Township Attorney Rob Thall, Township Zoning Administrator Khayci Bryant, and approximately 5 members of the general public.

Call to Order

Chair Lawrence called the Planning Commission meeting to order at 6:00 p.m.

Pledge of Allegiance

Pledge of Allegiance was recited.

Approval of Agenda

Bloomfield motioned with support from Criteser, to approve the agenda as submitted. Upon voice vote, motion passed 7-0.

Approval of Minutes

Criteser motioned with support from Sherwood to approve the December 11, 2025 Meeting Minutes as presented. Upon voice vote, motion passed 7-0.

Weintraub motioned with support from Nichols to approve the amended January 22, 2026 meeting minutes. Upon voice vote, motion passed 7-0.

Citizen Comment

Tamme K, Celery Street: Voiced disapproval of data centers

Tim Kerney, 9411 Miller Drive: presented a formal complaint regarding permanent food truck permit and timeline for a text amendment request, passed a folder to the Commissioner's, Staff and the Attorney with contents detailing the complaint

1
2 **New Business**
3

4 **1. 276 Sparks Site Plan Review**
5

6 Bryant presented her staff report for a proposed parking lot expansion and accessory structure located at
7 276 Sparks; covering the zoning and site plan standards. Bryant shared that the applicant is present if the
8 commission has questions.
9

10 The commissioner's declined as they found the preparation of the site plan and review as sufficient
11

12 After brief discussion, Bloomfield motioned with support from Nichols to approve the site plan review for
13 276 sparks based on the successful meeting of all nine findings of facts.
14

15 Upon roll call vote: Nichols- Yes; Sherwood- Yes; Nowak- Yes; Weintraub- Yes; Lawrence- Yes;
16 Criteser - Yes.; Bloomfield- Yes. Motion passed 7-0
17

18 **2. 2026 Planning Commission and Zoning Board of Appeals Annual Report**
19

20 Bryant provided a brief overview of the purpose and contents of the annual report.
21

22 Lawrence requested clarification on the administrative review process
23

24 Bryant provided clarification on the standards and what requirements a project must meet for
25 administrative review vs a site plan review. Sharing that the same standards are applied and the project is
26 also reviewed by the Township Engineers and Fire Marshal
27

28 Weintraub opened discussion up for a potential item to be added to agendas moving forward, an
29 administrative report
30

31 Bryant sought clarification on what this would entail
32

33 Discussion ensued; Bryant confirmed she will talk with the Chair about what this section should include
34

35 Bloomfield mentioned that in the Looking Ahead: 2026 Work Plan portion of the report, she would like to
36 confirm the priority ranking of the work items. The vacant lot accessory structure item should be moved to
37 the bottom of the list as the commission just wrapped up their accessory structure ordinance revisions.
38

39 Lawrence stated that she will have strong oversight of the agenda going forward and will ensure that item
40 is placed lower on the list of work items
41

42 Nichols motioned with support from Criteser to approve the Comstock Township Planning Commission
43 and Zoning Board of Appeals 2025 Annual Report. Upon voice vote, motion passed 7-0.
44
45

46 **Old Business**
47

48 **1. Planned Unit Developments with sample ordinances**
49

50 Weintraub discussed the South Haven PUD ordinance. He highlighted the flexibility this offers for
51 developers while ensuring the Township would maintain a certain level of control for PUD projects
52

53 Weintraub pointed out items like density bonuses, the rezone process and the hearing process that would
54 need to take place if a PUD were to be developed.
55

1 Discussion ensued with the commission ultimately deciding that they would prefer to work off of the South
2 Haven sample ordinance as opposed to the Portage option in the packet

3 **2. Landscaping with sample ordinances**

4
5 Bryant shared that when she meets with developers, she often hears that we require too many or that our
6 landscaping ordinance is too stringent. However, she is unsure if that is true or just their perception

7
8 Lawrence shared that she does not see a significant difference when comparing our ordinance to the
9 sample ordinances which were provided, the City of Kalamazoo and Kalamazoo Township landscaping
10 ordinances

11
12 The Commissioners discussed options such as; reducing the number of canopy trees, allowing for a case
13 by case review based on safety/ visibility, and incentive bonuses to reduce the number of canopy trees
14 we require

15
16 Consensus was found that there should be a statement in our ordinance addressing trees and
17 powerlines, as Sherwood mentioned large trees around powerlines can lead to outages and other
18 concerns

19
20 Lawrence requested feedback on the parking lot landscape requirement of 15-foot width for any internal
21 landscaped area

22
23 After comparing the sample ordinances, the commission agreed to reduce that requirement to 10 feet.

24
25 With further discussion regarding large trees and safety, the commission would like to see a statement
26 added to the ordinance which would allow for reductions and substitutions to address these safety
27 concerns at their discretion

28 29 **3. Continued Data Center Discussion**

30
31 Lawrence started off the discussion by recapping the conversation from the previous meeting. Restating
32 that preparing for a data center in advance would protect the Township if one were to come in

33
34 Attorney Thall shared information about what occurred in Saline Township regarding the data center and
35 the suit that followed on the basis of exclusionary zoning

36
37 Nichols asked Attorney Thall if he had looked over our ordinances to see if there is any zoning district
38 which would currently allow for a data center

39
40 Attorney Thall shared that the LD, restricted industrial district allows for warehouses which is a use that a
41 data center could fall under. His recommendation is to go into a moratorium for six or so months; to allow
42 presenters to come in, this would protect the township and allow the commissioners to begin the work

43
44 Lawrence voiced concerns that six months is not enough time to do the homework required

45
46 Attorney Thall stated that a year or even nine months is a possibility as well

47
48 Nichols motioned with support from Weintraub to move forward with a one-year moratorium and to direct
49 Attorney Thall to prepare the documentation required

50
51 Upon roll call vote: Nichols- Yes; Sherwood- Yes; Nowak- Yes; Weintraub- Yes; Lawrence- Yes;
52 Criteser - Yes.; Bloomfield- Yes. Motion passed 7-0

53 54 **4. Master Plan Discussion**

55

1 Lawrence states that this may be a longer conversation that is not tackled in its entirety tonight, the
2 masterplan is due for review in 2027 so any work they can begin would be beneficial
3

4 Discussion ensued and the commissioners came to the agreement that they will take their time to work
5 through the latest masterplan update individually and then come back to create an outline of items of
6 which they would concentrate their efforts on
7

8 Lawrence stated there should be a plan to revisit this conversation during the last meeting in March or
9 First meeting in April to talk through it further
10

11 Sherwood voiced agreement that workshop time is needed to read through it and likes the idea of
12 revisiting this decision during the first meeting in April
13

14 15 **Any Other Business**

16 **1. Mark Zanotti – Rezone Request**

17
18 Bryant briefed the planning commission on Mark Zanotti's request to correct the split zoning of his two
19 parcels. She highlighted the letter that he provided which discussed the request and how he would be
20 seeking a fee waiver as he believes this is an error on the Township's part.
21

22 Bryant shared that he will be coming to Monday's Township board meeting to ask for said request, and if
23 granted this will be brought back to the commissioners for a public hearing.
24

25 Lawrence confirmed that no action is needed tonight on this item
26
27

28 29 **Citizen Comment**

30
31 Tamme K, Celery Street: voiced appreciation to the commissioners for deciding to move forward with the
32 moratorium, shared that the community needs tornado sirens
33

34 Tim Kerney, 9411 Miller Drive: discussed the text amendment and the permanent food truck request
35

36 Unidentified Speaker: thanked the commission for being here and taking on the data center issue
37
38

39 **Updates from Other Boards**

40
41 Nichols stated that the zoning board of appeals has not met
42

43 Treasurer Bloomfield: no updates from the Township Board
44

45 **Training Updates**

46
47 None
48
49
50

51 **Informational/Future Action Items**

52
53 Bryant provided a brief overview of next week's agenda, and the process of a site condominium as that
54 will be coming before them soon.
55
56

1
2 Lawrence requested clarification on the process of amending the agenda for next week's meeting
3

4 Bryant replied that the agenda can be amended prior to the meeting by staff or at the meeting by the
5 commissioners
6
7

8
9 **Planning Commissioner Comments**
10

11 Criteser: appreciates that the commission is being proactive
12

13 Weintraub: none
14

15 Sherwood: agrees with Criteser
16

17 Nichols: agrees that the commission is heading the right direction
18

19 Bloomfield: none
20

21 Nowak: none
22

23 Lawrence: none
24

25 **Adjournment**
26

27 There being no further business before the Planning Commission, Chair Lawrence adjourned the meeting
28 at approximately 7:55 p.m.
29

30 Prepared by: Khayci Bryant, Zoning Administrator

31 Minutes prepared: February 25, 2026

32 Minutes approved:



MEMO

Charter Township of Comstock Planning Commission March 12, 2026

From: Khayci Bryant, Planner

Re: February 26, 2026 Meeting Minutes- DRAFT

Attachments:

[2026_02_26 Comstock PC Meeting Minutes .docx](#)

1 With no further questions from the commission, Sherwood motioned with support from Weintraub to open
2 the public hearing. Upon voice vote, motion passed 7-0
3

4 No comments made during the public hearing
5

6 Bloomfield motioned with support from Criteser to close the public hearing. Upon voice vote, motion
7 passed 7-0.
8

9 The commissioners discussed the three findings of facts for this special land use request, came to the
10 consensus that this request satisfies the standards
11

12 Weintraub motioned with support from Sherwood to waive their bylaws and take action tonight
13

14 Upon roll call vote: Nichols- Yes; Sherwood- Yes; Nowak- Yes; Weintraub- Yes; Lawrence- Yes;
15 Criteser - Yes.; Bloomfield- Yes. Motion passed 7-0
16

17 Nowak motioned with support from Bloomfield to approve the special land use request for 8850 E H Ave.
18

19 Upon roll call vote: Nichols- Yes; Sherwood- Yes; Nowak- Yes; Weintraub- Yes; Lawrence- Yes;
20 Criteser - Yes.; Bloomfield- Yes. Motion passed 7-0
21
22

23 **2. Mobile Vendor Ordinance** 24

25 Lawrence introduced this item, stating that due to the resident that attended the previous meeting and
26 voiced concerns regarding the food truck process she thought it would be beneficial to bring back the item
27 to solve the issue
28

29 Nowak voiced concerns that allowing a food truck to sit permanently could lead to an eye sore and
30 inquired about ways to address this
31

32 Sherwood stated that he feels that if someone is going to have a food truck on their property year-round,
33 they should be required to add it to their site plan. He shared that in the past Gil's Market was required to
34 do this to sell food out of a food truck on Friday afternoons.
35

36 Lawrence shared she feels for the person that had to go through that process however, it should be made
37 easier or at least the ordinance needs to be amended to be more specific.
38

39 Weintraub shared that maybe we should classify food trucks as a special land use. This would give
40 neighbors, for example nearby restaurants, an opportunity to object
41

42 Discussion shifted to allowing for a food truck to be permitted for six to eight months, ensuring that it is
43 gone by winter.
44

45 Nichols and Nowak commented on the impact this may have on restaurants, emphasizing that it would
46 not be fair that those with a brick and mortar that are actively paying taxes, while the mobile vendor would
47 not need to pay taxes on the site.
48

49 The commissioners decided that more discussion is needed and agreed to bring it back to a later meeting
50
51

52 **3. Housing Study Final Draft – Upjohn Institute** 53

54 Emily Petz of the Upjohn Institute shared her presentation regarding Comstock Township's Housing
55 Study
56

1 In the presentation she covered; survey results, the township housing profile, and the housing ecosystem.
2
3 Petz shared that she intends to have the final draft of the housing study prepared to be sent out next
4 week as she ran into an IT-related issue. She is seeking feedback on the draft from the Commissioners to
5 ensure that they are satisfied with the final product.
6

7 8 Old Business

9 10 **1. Planned Unit Developments with sample ordinances**

11
12 Weintraub inquired as to whether the Township can adopt the entirety of the South Haven ordinance, with
13 minor adjustments to section and article numbers
14

15 Attorney Thall replied it can be used to replace our current provisions as long as the formatting and
16 references to certain standards such as, special land uses, align with our zoning ordinance
17

18 Sherwood voiced concerns regarding adopting an ordinance written for a city which is vastly different
19 from our Township, since the Township has not been approached for a new PUD project in 35 years
20

21 Lawrence asked Weintraub if in his experience, does this ordinance work for developers or has he
22 received feedback on this ordinance
23

24 Weintraub shared that he knows this ordinance works. It offers flexibility while also contains elements of
25 control for the planning commission and township board, it's a good mix of the two.
26

27 Weintraub shared that he would like to get started and move paragraph by paragraph as a group to see
28 what would work and what would not
29

30 The commissioners went through each section of South Haven's PUD ordinance and made minor
31 revisions, including the removal of an optional conceptual planning commission review and making it a
32 required step
33

34 After workshopping, the commissioners discussed bringing in developers to get their opinion on this
35 ordinance. Requesting that Bryant reach out and gauge interest
36
37

38 **2. Landscaping with sample ordinances**

39
40 Bryant provided an overview of the minor changes to the ordinance as a result of last week's discussion
41

42 Nichols voiced concerns that the changes don't address visibility
43

44 Attorney Thall shared that Kalamazoo Township's landscaping ordinance states "no landscaping shall be
45 established or maintained on any parcel or any parking lot that will obstruct the view of drivers"
46

47 Bryant suggested that this sentence may fit well under the general provision section of the ordinance
48

49 Sherwood shared that the ordinance is still too much requiring too much money to be put into just
50 landscaping
51

52 Attorney Thall shared that adding additional wording to allow for greater flexibility under the reductions
53 and substitutions section of the ordinance may be an option
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Nichols motioned with support from Weintraub to recommend adopting a resolution to establish a temporary moratorium on the processing of data center applications

Nichols motioned with support from Weintraub to recommend adopting a resolution to establish a temporary moratorium on the processing of principal use renewable energy facilities zoning applications

Any Other Business

Citizen Comment

Updates from Other Boards

Treasurer Bloomfield: no updates from the Township Board

None

Bryant introduced the Leigh Ave Site Condominium plans that were in the packet. She informed the commissioners that this is information only and is set for a public hearing on March 12, 2026

Lawrence replied that it may be best to have that item scheduled for the end of March, to allow the commissioners to have a public hearing on a housing development before considering adopting a housing study

The commissioners decided to wait and see what the agenda may hold before taking any action

1 Bryant shared that Dunkin Donuts has pulled building permits and will be remodeling the KFC that closed
2 down on Gull Road
3

4
5 **Planning Commissioner Comments**
6

7 Criteser: happy the commission tackled a lot this meeting, shared he will not be present next meeting due
8 to a planned vacation
9

10 Weintraub: none
11

12 Sherwood: none
13

14 Nichols: thanked Weintraub for all his work on the Planned Unit Development Ordinance
15

16 Bloomfield: none
17

18 Nowak: none
19

20 Lawrence: thanked Weintraub for bringing forth the PUD ordinance and walking through it
21

22 **Adjournment**
23

24 There being no further business before the Planning Commission, Chair Lawrence adjourned the meeting
25 at approximately 8:30 p.m.
26

27 Prepared by: Khayci Bryant, Zoning Administrator

28 Minutes prepared: March 2, 2026

29 Minutes approved:



MEMO

Charter Township of Comstock Planning Commission March 12, 2026

From: Khayci Bryant, Planner

Re: Step One Review and Public Hearing - Leigh Avenue Site
Condominium

Attachments:

[Watts Site Condo Dev. Tent Approval V2 2026_0304.pdf](#)
[251002 - Step One Site Plan 03.03.2026.pdf](#)



Memorandum

TO: Matt Watts, Watts Homes and Construction
FROM: Kyle Mucha, AICP, Principal Planner; Comstock Planning Consultant
 Ethan Senti, Assistant Planner, McKenna
SUBJECT: Leigh Avenue Site Condominium — Step 1 Tentative Approval Review (§202.006)
DATE: March 4, 2026

To Watts Homes and Construction,

On behalf of Comstock Charter Township, McKenna has reviewed the Step 1 preliminary plan application for the Leigh Avenue Site Condominium (Parcel 07-07-155-020) pursuant to the Comstock Charter Township Subdivision/Site Condominium Ordinance (Ord. No. 411, Art. 202). The subject site is a 31.1-acre vacant parcel zoned R-1C, Cluster Housing District. This review also includes a response to supplemental information provided by the applicant's engineer on March 3, 2026.

PROJECT SUMMARY

The applicant proposes a 138-unit single-family site condominium development on Leigh Avenue in Comstock Charter Township, to be developed in three phases (Phase 1: 46 units; Phase 2: 47 units; Phase 3: 45 units). All streets are proposed as 28' public streets within a 66-foot right-of-way. The development will be served by public water and sanitary sewer. Stormwater will be directed to a retention pond along the south property line.

PROJECT REVIEW AUTHORITY

Per the Township's Subdivision/Site Condominium Ordinance, the Township Board shall have approval authority over tentative site condominiums. While the plan set is submitted before the Planning Commission, who in turn will hold a public hearing on the project, the Township Board has the deciding vote over the project.

The Planning Commission makes a *recommendation*, and is an **advisory** entity related to this type of project.



Figure 1. Leigh Avenue Site Condominium — Phasing Plan
 (Wightman & Associates,

HEADQUARTERS
 235 East Main Street
 Suite 105
 Northville, Michigan 48167

○ 248.596.0920
 F 248.596.0930
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REVIEW FINDINGS

McKenna has reviewed the tentative approval for the preliminary plan pursuant to §202.006 of the Site Condominium Ordinance. The main portion of this review analysis has items that have been underlined, which have subsequently been addressed by the applicant's supplemental documentation, provided on March 3, 2026. Items that were initially found during the preliminary review of the proposed plan can be found in this report; comments pertaining to these items have been added in the below section under the date of **March 4, 2026**, which coincides with the supplemental review of submission materials.

1. *While conceptual, the design does not clearly note what is to be considered community open space; revised plan sets should denote the community open space.*

March 4, 2026: the applicant has revised the plan set to clearly note the proposed community open space areas, which are shown by grey shaded regions on the conceptual drawings.

2. *There appears to be a dedicated accessway between 5163 Fordham Avenue and 5181 Fordham, that may allow for connection to this parent parcel; does the applicant intend to connect to Fordham to the south?*

March 4, 2026: the applicant notes that the right-of-way between these two addresses is approximately 60 feet, where a minimum of 66 feet is required; therefore, the opportunity to create the connection between the proposed development and that of Fordham is not viable.

3. *Street naming will need to be coordinated with RCKC and County Planning/GIS to ensure acceptable naming conventions.*

March 4, 2026: applicant notes that work continues in order to secure roadway names.

4. *Applicant seeks relief from the 1,000 linear foot stipulation for roadway lengths; the Township Board will need to decide if such waiver is appropriate. As an aside, the State of Michigan has identified housing as a critical issue for communities – permitting longer roadway lengths will allow for additional housing sites. Should the applicant be required to 'cap' roadway lengths at 1,000 feet, fewer overall viable lots would be available with this project.*

March 4, 2026: no change – the applicant still seeks relief from this provision, which the Township Board may authorize.

5. *Identification of preservation/retention of natural features that will not be impacted by the proposed development.*

March 4, 2026: the applicant notes the following – “*there are no preserved natural features on this site. There might be mature trees we can save, sprinkled throughout the property. They would need to be at the right elevation, and not [impede] a house, utility, roadway or driveway.*”

It is important to note that as part of the final approval (202.007.B.4), the general ordinance states “*all trees or other obstructions within the right-of-way which interfere with the grading and/or drainage shall be removed*”. Further, the Township's General Ordinance (202.006.C.3.b) states “*existing natural features*”



*which add value to residential development, that enhance the attractiveness of the community (such as streams, water courses, historic spots and similar irreplaceable assets) **should** be preserved insofar as possible in the design of the plat or site condominium development".* As the Commission may be aware, the word '**should**' is not a mandating description; in terms of the ordinance, it is a suggestion and not a specific requirement. The Commission may deem it appropriate to inquire about natural feature protections and retention with the applicant, but is advised that this provision **is not a requirement**.

Based on the revised plan set and supplemental information provided by the applicant, tentative approval of the preliminary site condominium plan can be supported.

It is also important for the Township Board and Planning Commission to recall that the applicant proposes to construct this development in phases and not 'over-night'. The full build out will take time over a multitude of years. Additionally, further review of street design, utility construction and other engineering drawings will be reviewed in greater depth during the second phase of the site condo review process.

Respectfully submitted,

McKENNA

Kyle Mucha, AICP
Principal Planner
Township Planning Consultant

Ethan Senti
Assistant Planner



Site Condominium Review

Step 1 — Tentative Approval | §202.006, Ord. No. 411 | Comstock Charter Township

Per §202.006.B, the Planning Commission shall review the preliminary plan and make a recommendation to the Township Board within 45 days of receipt. A public hearing is required prior to Planning Commission action. The Township Board shall then determine whether the plan complies with all Township ordinances and state statutes and makes adequate provision for streets, lots/building sites, and general provisions per §202.006.C.

PART I — SUBMISSION COMPLETENESS (§202.006.A)

Section 202.006.A requires that each preliminary plan submission include the following items. McKenna's review of the submitted materials is summarized below.

Ref.	Submission Requirement (§202.006.A)	Plan Response	Provided
VI.A	Application on Township-approved form	Submitted	Yes
VI.A	24 legible copies of preliminary plan	To be confirmed by Township Clerk	TBD
VI.A	Plan prepared by Registered Civil Engineer or Land Surveyor	Paul D. Schram, P.E., Wightman & Associates	Yes
VI.A.1	Contour intervals shown (≤ 4 ft.)	Contours shown on C002–C004 at 4 ft. intervals	Yes
VI.A.2	Road layout indicated	Public street layout shown on all plan sheets	Yes
VI.A.3	Lot/building site layout with size, shape, and common open space	Building sites with dimensions and unit area tables shown; common open space not explicitly labeled — see findings	Partial
VI.A.4	Public sewer/water service indicated	Public sanitary sewer and water main noted on plan	Yes
VI.A.5	Floodplain location and size indicated	Entire site in Zone X — outside 0.2% annual chance floodplain; no restriction required	Yes



VI.A.6	Stormwater disposal method indicated	Retention pond along south property line; storm sewer per Road Commission and Drain Commissioner standards	Yes
VI.A.7	Adjoining land plan (if proprietor owns/plans to acquire adjoining land)	Plan notes that proprietor has ownership interest in overall parcel — no separate adjoining land plan submitted;	YesTh
VI.A.8	Application fee submitted	To be confirmed by Township Clerk	TBD

Findings. The preliminary plan submission is substantially complete. Two items require clarification before the Planning Commission hearing: (1) the plan does not explicitly identify or label common open space or common elements as required by §202.006.A.3; the applicant should revise the plan to clearly delineate any areas intended as common elements. (2) The plan notes state that the proprietor has an ownership interest in the overall parcel, but it is not clear whether the proprietor owns or intends to develop additional adjoining land. Per §202.006.A.7, if additional adjoining land is anticipated for future platting or site condominium development, a tentative feasibility plan for that land must be submitted with this application.

PART II — STREET STANDARDS (§202.006.C.1)

The Township Board shall determine whether the proposed street arrangement makes adequate provision for the criteria set forth in §202.006.C.1. Detailed road construction standards (grades, pavement section, drainage structures) are evaluated at Step 2 and are not reviewed here.

Item	Ordinance Requirement	Plan Response	Compliant
Thoroughfare plan compliance	Streets shall comply with any adopted Township major street/thoroughfare plan (§VI.C.1.a)	Check Township Thoroughfare Plan – if any. Roadways are under jurisdiction of Kalamazoo County Road Commission. <u>Applicant should provide any correspondence with RCKC on roadway design and construction.</u>	Partially
Continuation of existing streets	Street arrangement shall provide for continuation of	Internal street network connects to Leigh Avenue and Margaret Avenue; continuation of Joyce	Partially



	streets from adjoining areas (§VI.C.1.b)	Avenue and Ireland Street to be confirmed. Leigh avenue is not shown to connect on the South Side at the intersection of Fordham—see findings.	
Extension to boundary for future projection	Streets to be extended to tract boundary to allow future street projection; minor streets to discourage through traffic (§VI.C.1.c)	Stub streets with temporary turnarounds provided at phase boundaries consistent with phased development	Yes
Primary road / major thoroughfare treatment	Marginal access or other treatment required where development abuts county primary road (§VI.C.1.d)	The proposed development will not abut County primary roads; the applicant will use existing local street networks to extend housing development. Margaret and Leigh Avenue connect to “H” Avenue, which is a primary County road.	N/A
Private streets	Private streets permitted only with Township Board finding; criteria include units served, layout, emergency access, and link function (§VI.C.1.e)	All streets proposed as public — not applicable. Such public streets will need to be accepted by the Road Commission of Kalamazoo County.	N/A
Two or more access streets (≥50 units)	Developments of 50 or more units must provide two or more access streets (§VI.C.1.f)	138-unit development; plan shows access via Leigh Ave. and Margaret Ave, both of which have direct connection to H Avenue.	Yes
Street naming conventions	N-S = Street; E-W = Avenue; meandering = Drive/Lane/Path/Road/Trail; cul-de-sac = Circle/Court/Way/Place (§VI.C.1.g)	Street names either align with existing street names or comply with the ordinance where new streets are being established. The RCKC & County Planning/GIS may have further stipulations for road naming; coordination with such entities is encouraged.	Yes
Intersection angles	Intersections at ≥80°, ideally 90° (§VI.C.1.h)	Grid-based layout with right-angles shown.	Yes



Offset intersections	Opposite intersections on cross streets ≥ 175 ft. apart (centerline) (§VI.C.1.i)	Connection to Leigh Avenue on the South Side must be demonstrated	TBD
Max. residential street length	$\leq 1,000$ ft. (§VI.C.1.j)	Street lengths are shown to be greater than 1,000 linear feet; applicant has expressed desire to seek relief from Township Board to permit roadway lengths that are greater than 1,000 feet in order to accommodate additional housing units.	*Modification Requested.
Primary road ROW width	≥ 66 ft. (§VI.C.1.k)	All streets in 66 ft. ROW — confirmed on plan notes.	Yes
Permanent dead-end street length	≤ 660 ft. unless Board approval; permanent cul-de-sacs prohibited beyond this without approval (§VI.C.1.k)	Temporary turnarounds only at phase boundaries; permanent cul-de-sacs not proposed — consistent.	Yes

Findings. The proposed street layout is generally consistent with the ordinance. All streets are public within a 66-foot right-of-way. Temporary turnarounds are provided at phase boundaries. Street naming, intersection geometry, offset spacing, and maximum street length are Step 2 items but should be addressed in the preliminary design. As noted in the above findings, the applicant should provide clarification as to the non-desire to connect to Fordham Avenue, allowing for a third access point to the proposed development.

Note: the area referenced on Fordham for connection appears to be approximately 60 feet in width, which is less than the standard public right-of-way width of 66 feet. If the Road Commission will not approve a connection to Fordham, such determination should be provided to the Township for documentation.

PART III — LOTS / BUILDING SITES (§202.006.C.2–C.3)

Section 202.006.C.2 requires that all lots and building sites comply with the minimum lot dimension provisions of the Zoning Ordinance. Section 202.006.C.3 addresses general provisions including natural features, floodplains, and reserve strips.

Item	Ordinance Requirement	Proposed / Plan Response	Compliant
Minimum unit area	R-1C: 6,000 sf (platted, with water and sewer) (§VI.C.2.a)	Phase 1 min.: 6,123 sf; Phase 2 min.: 6,183 sf; Phase 3 min.: 6,240 sf — all units $\geq 6,000$ sf per unit area tables	Yes



Minimum unit width	R-1C: 60 ft. (§VI.C.2.a)	60 ft. — confirmed on all plan sheets	Yes
Setbacks	R-1C: Front 25 ft.; Rear 35 ft.; Side 10 ft./5 ft. (§VI.C.2.a)	Proposed matches required setbacks as noted on plan — confirmed	Yes
Access to public or private street	All building sites must have direct access to a public or private street (§202.004.A)	All units front proposed public streets	Yes
Reserve strips	Privately held reserve strips controlling access to streets are prohibited (§VI.C.3.a)	None proposed	Yes
Natural features preservation	Existing natural features adding value to residential development shall be preserved insofar as possible (§VI.C.3.b)	No natural features identified or addressed on preliminary plan — applicant should indicate whether any trees, watercourses, or other features exist and their proposed treatment	TBD
Floodplain	Lands subject to flooding not to be platted for residential use unless set aside as parks/open space (§VI.C.3.c)	Entire site in Zone X — outside 0.2% annual chance floodplain; no restriction required	Yes

Findings. All building sites meet minimum area and width requirements across all three phases. The site is entirely within Zone X and no floodplain-related restrictions apply. Common open space or common elements are not labeled on the preliminary plan. The plan should be revised to identify any areas intended as common elements, consistent with the definition of Common Elements in §202.004.B and the submission requirement in §202.006.A.3. Additionally, the preliminary plan does not identify existing natural features on the site. Per §202.006.C.3.b, natural features that add value to residential development should be preserved insofar as possible. The applicant should identify any such features that are to be retained and indicate their proposed treatment during the construction phasing.

Note: each unit will be reviewed for compliance with setbacks when building permits are applied for. At this stage of the review, we find it acceptable that the applicant has noted what the setbacks are for the overall district.



PART IV — ADDITIONAL COMMENTS & CONSIDERATIONS

The following comments are offered for the applicant's information and are not conditions of tentative approval.

1. **Phasing.** Tentative approval, if granted, applies to the overall preliminary plan. Each subsequent phase should continue to demonstrate compliance with all applicable ordinance standards at Step 2 and Step 3.
2. **Tentative Approval Period.** Per §202.006.C.4.b, tentative approval confers a one-year period during which lot sizes, lot orientation, street layout, and applicable ordinance regulations are vested. The applicant may apply for an extension.
3. **Step 2 Requirements.** Upon tentative approval, the applicant will be required to submit detailed working drawings including grades, drainage structures, proposed utilities, and road construction plans, along with documented utility consultation and all required governmental agency certifications per §202.007.A.

GENERAL COMMENTS & OBSERVATIONS

While not directly related to the site condominium/subdivision provisions, the below general findings and observations are offered as the project is reviewed for tentative approval.

1. The proposal has been evaluated for compliance with the **R1-C District Standards**. Single Family dwellings are considered a **permitted use** in this District. Further, the intent of the R1-C District is to *"provide at medium residential densities a variety of housing types consistent with single-family housing."*
2. The subdivision/site condominium ordinance states *"lots and building sites shall be established in compliance with the minimum lot dimension provisions set forth in the Comstock Charter Township Zoning Ordinance"*; which for this project is the R1-C standards. The subdivision/site condominium ordinance does not dictate that a developer could not build a range of home sizes. The developer is required to meet the minimum square footage for dwelling units, which as referenced in earlier sections, will be confirmed upon submission of building permit applications.
3. The proposed development is not shown to connect directly with Casper Avenue.

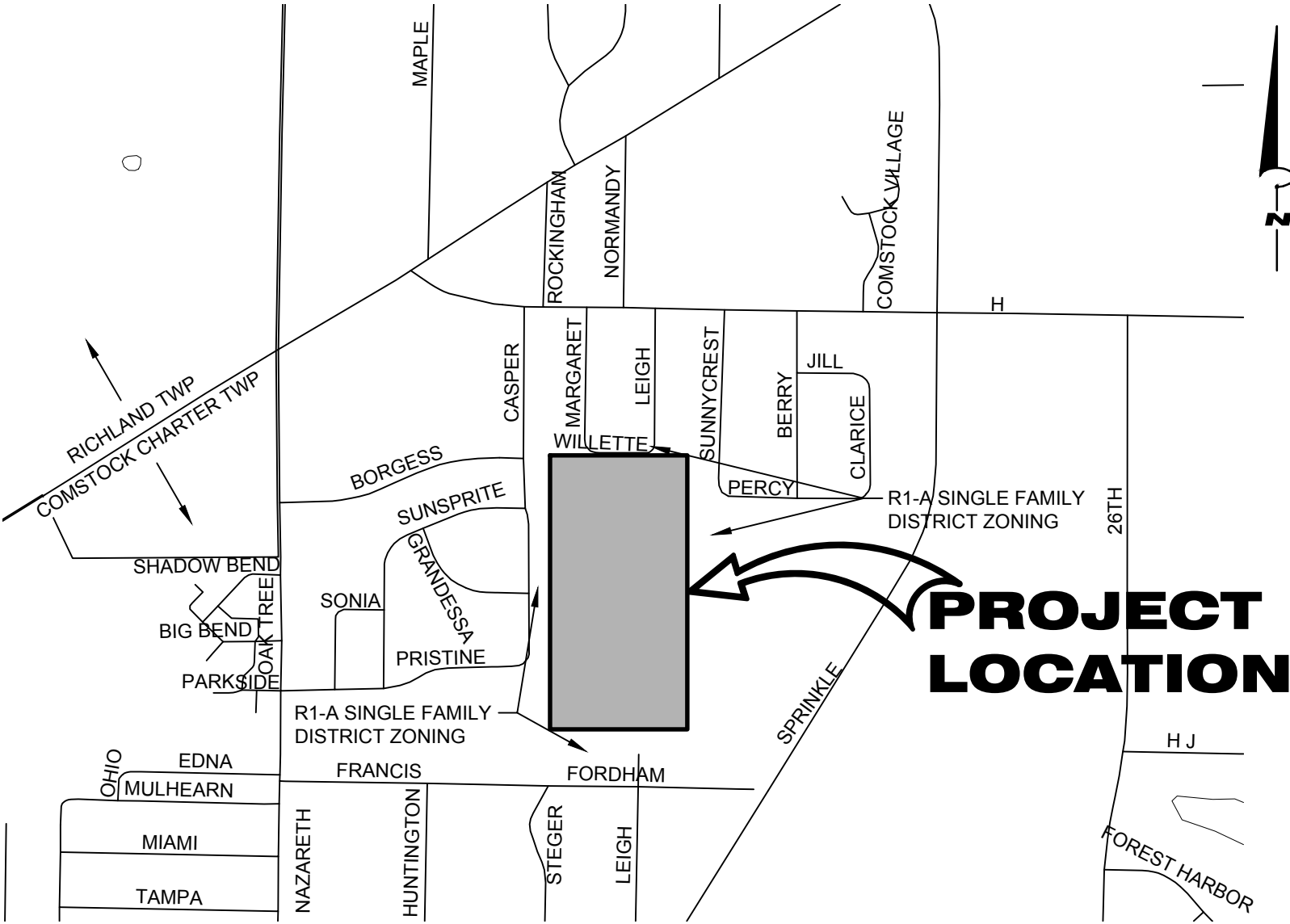
LEIGH AVENUE CONDOMINIUMS
IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 7, TOWNSHIP 2 SOUTH,
RANGE 10 WEST, COMSTOCK TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN

NOTES

EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS OR IN THE PROPOSAL AND SUPPLEMENTAL SPECIFICATIONS CONTAINED THEREIN, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE 2020 MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION.

THE PLACING OF PAVEMENT MARKINGS AND TRAFFIC CONTROL SIGNS SHALL BE DONE IN ACCORDANCE WITH THE 2011 MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AS AMENDED.

IN CONFORMANCE WITH PUBLIC ACT 174 OF 2013, ALL CONTRACTORS SHALL CALL MISS DIG @ 811 OR 800-482-7171 FOR PROTECTION OF UNDERGROUND UTILITIES A MINIMUM OF THREE FULL WORKING DAYS (EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS) PRIOR TO BEGINNING EACH EXCAVATION IN ANY AREA. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.



VICINITY MAP
(NOT TO SCALE)

LEGEND

EXISTING	PROPOSED	
C	C	CABLE
E	E	ELECTRIC LINE
OHE	OHE	ELECTRIC LINE (OVERHEAD)
FO	FO	FIBER OPTIC LINE
G	G	GAS LINE
T	T	TELEPHONE LINE
		FENCE
		FORCEMAIN
		GUARDRAIL
		SANITARY SEWER
		STORM SEWER
		WATER MAIN
		CENTER LINE
		EXISTING TREE LINE
		EXISTING DITCH LINE
		EASEMENT LINE/GRADING PERMIT
		GRADING LIMITS/LIMITS OF DISTURBANCE
		PROPERTY LINE
		RIGHT-OF-WAY LINE
		SECTION LINE
		TO BE ABANDONED

⚡ = ANTENNA	⚙ = PAVEMENT/SOIL BORING
☐ = CATCH BASIN	⚙ = PROPOSED HYDRANT
☐ = CABLE RISER BOX	⚙ = PROPOSED GATE VALVE & BOX
☐ = CLEAN OUT	⚙ = PROPOSED GATE VALVE & VAULT
⚙ = CURB INLET	⚙ = PROPOSED REDUCER
⚙ = ELECTRIC MANHOLE	⚙ = PROPOSED SANITARY MANHOLE
⚙ = FIRE HYDRANT	⚙ = PROPOSED STORM MANHOLE
⚙ = FOUND IRON PIPE	⚙ = STORM MANHOLE
⚙ = GAS VALVE	⚙ = TELEPHONE MANHOLE
⚙ = GUY ANCHOR	⚙ = TELEPHONE RISER BOX
⚙ = LIGHT POLE	⚙ = TURNING POINT/TRVERSE
⚙ = MAILBOX	⚙ = UTILITY POLE
⚙ = MONITORING WELL	⚙ = VAULT
⚙ = POST	⚙ = WATER MANHOLE
⚙ = SATELLITE DISH	⚙ = WATER METER
⚙ = SANITARY MANHOLE	⚙ = WATER VALVE
⚙ = SECTION CORNER	⚙ = WELL
⚙ = SIGN	

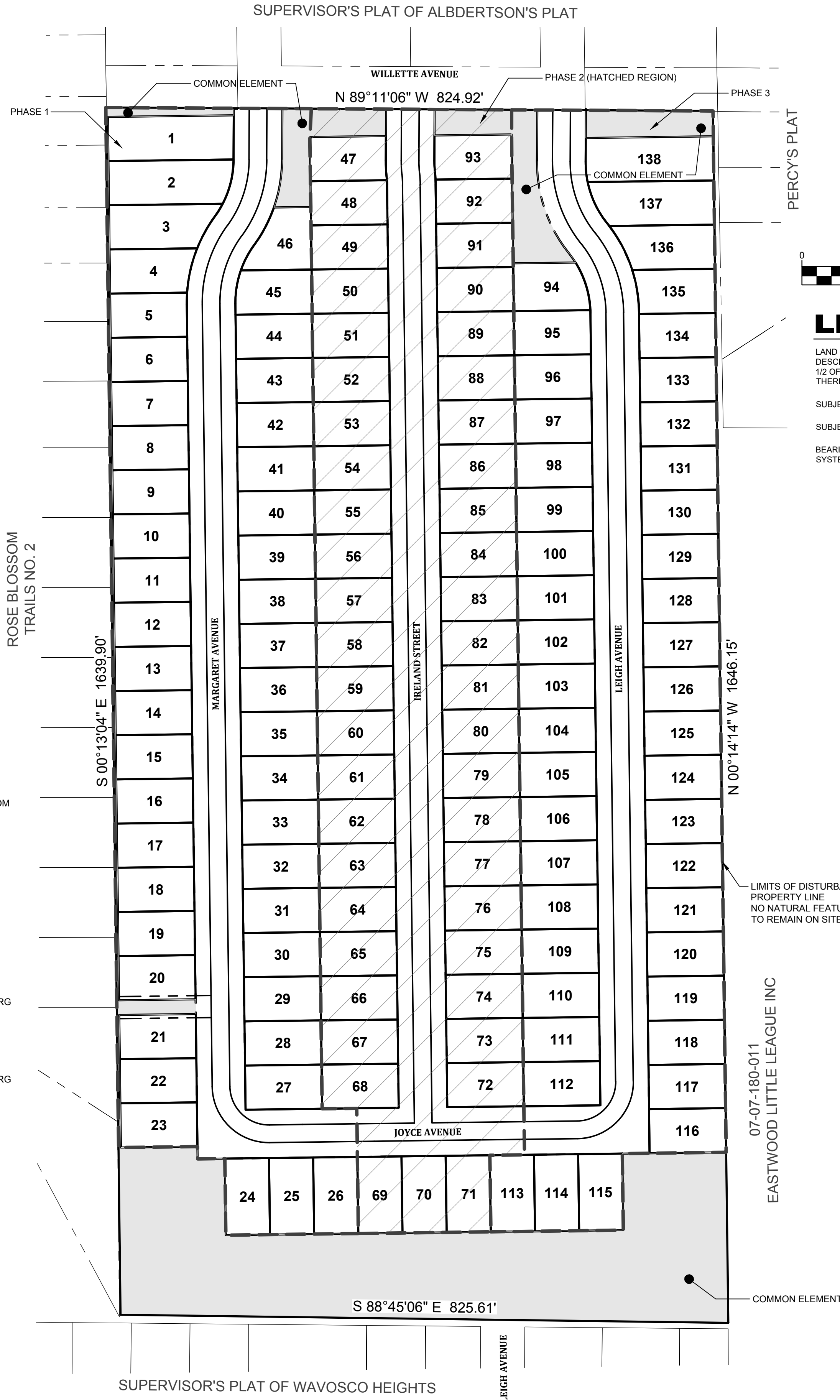
P.O.B. = POINT OF BEGINNING
○ = SET 1/2" REBAR W/ CAP ID #38116
● = FOUND IRON
☐ = SET CONCRETE MONUMENT (TO BE SET AT A LATER DATE)
■ = FOUND CONCRETE MONUMENT

TREE DESIGNATORS



UTILITIES

GAS:	CONSUMERS ENERGY 2500 E. CORK STREET KALAMAZOO, MI 49001 KYLE OAK (269) 337-2366 KYLE.OAK@CMSENERGY.COM
ELECTRIC:	CONSUMERS ENERGY 2500 E. CORK STREET KALAMAZOO, MI 49001 ANDRE TAYLOR (269) 337-2245 ANDRE.TAYLOR@CMSENERGY.COM
TELEPHONE:	AT&T 1345 MILTON STREET KALAMAZOO, MI 49001 (269) 384-4436 JS3419@ATTI.COM JOHN STERNAMAN
FIBER:	AT&T 1345 MILTON STREET KALAMAZOO, MI 49001
WATER:	CITY OF KALAMAZOO 415 E. STOCKBRIDGE AVENUE KALAMAZOO, MI 49001 ANNA CRANDALL (269) 337-8601 CRANDALLA@KALAMAZOOCITY.ORG
SANITARY:	CITY OF KALAMAZOO 1415 N. HARRISON STREET KALAMAZOO, MI 49007 SOHIL MANJIYANI (269) 337-8551 MANJIYANIS@KALAMAZOOCITY.ORG
"MISS DIG"	811



LEGAL DESCRIPTION

LAND SITUATED IN THE TOWNSHIP OF COMSTOCK, COUNTY OF KALAMAZOO, STATE OF MICHIGAN DESCRIBED AS FOLLOWS: THE EAST 50 RODS OF THE NORTH 154 RODS OF THE WEST FRACTIONAL 1/2 OF THE NORTHWEST FRACTIONAL 1/4 OF SECTION 7, TOWN 2 SOUTH, RANGE 10 WEST, EXCEPT THEREFROM THE NORTH 893 FEET.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

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BEARINGS ARE BASED ON THE MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, INTERNATIONAL FEET.

PROPRIETOR

PROPRIETOR	JOYCE & DON LLC 5071 GULL ROAD KALAMAZOO, MI 49048 (269) 345-3859 MATTHEW WATTS MATT@MYWATTSHOME.COM
RESPONSIBLE PARTY	

ENGINEER

ENGINEERING FIRM	WIGHTMAN 433 E. RANSOM KALAMAZOO, MI 49007 (269) 200-2703 PAUL SCHRAM, P.E. PSCHRAM@GOWIGHTMAN.COM
DESIGN ENGINEER	

NOTES:

UNIT COUNTS
LEIGH AVENUE CONDOMINIUMS: 138 UNITS
PHASE 1: 46 UNITS
PHASE 2: 47 UNITS
PHASE 3: 45 UNITS

ZONING/SETBACKS

ZONING - R-1C
SETBACKS:
(PRINCIPLE STRUCTURE)
REQUIRED = 25' FRONT
REQUIRED = 35' REAR
* REQUIRED = 10' SIDE
* UNDER R-1C, ONE SIDE SETBACK MUST BE AT LEAST 10'.
THE OTHER SIDE SETBACK MUST BE AT LEAST 5'

UNIT WIDTH

MINIMUM UNIT WIDTH:
REQUIRED = 60'
PROPOSED = 60'

UNIT AREA

MINIMUM UNIT AREA:
REQUIRED (R-1C, PLATTED, WITH WATER AND SEWER) = 6,000 SFT
PROPOSED = 6,123 SFT

TEMPORARY CUL-DE-SAC PAVEMENT RADIUS
REQUIRED = 50' TO BACK OF CURB
PROPOSED = 50' TO BACK OF CURB

FLOODPLAIN

THIS AREA IS LOCATED IN TWO REGIONS, BOTH CLASSIFIED ZONE X - AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN. ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 26077C0192E EFFECTIVE DATE JULY 31, 2024 AND 26077C0165E EFFECTIVE DATE JULY 31, 2024.

INDEX OF PLANS

C001	PHASING PLAN
C002	PHASE 1
C003	PHASE 2
C004	PHASE 3

W+
WIGHTMAN
433 E. RANSOM ST.
KALAMAZOO, MI. 49007
269.327.3532

www.gowightman.com

PAUL D. SCHRAM
6201067420

PROJECT NAME:

**LEIGH AVENUE
SITE CONDO**
WILLETTE AVE
KALAMAZOO, MI 49048

**WATTS HOMES
AND
CONSTRUCTION**
5071 GULL ROAD
KALAMAZOO, MI 49048

01 03/03/2026 PDS
REVISED PER TOWNSHIP
COMMENTS

REVISIONS

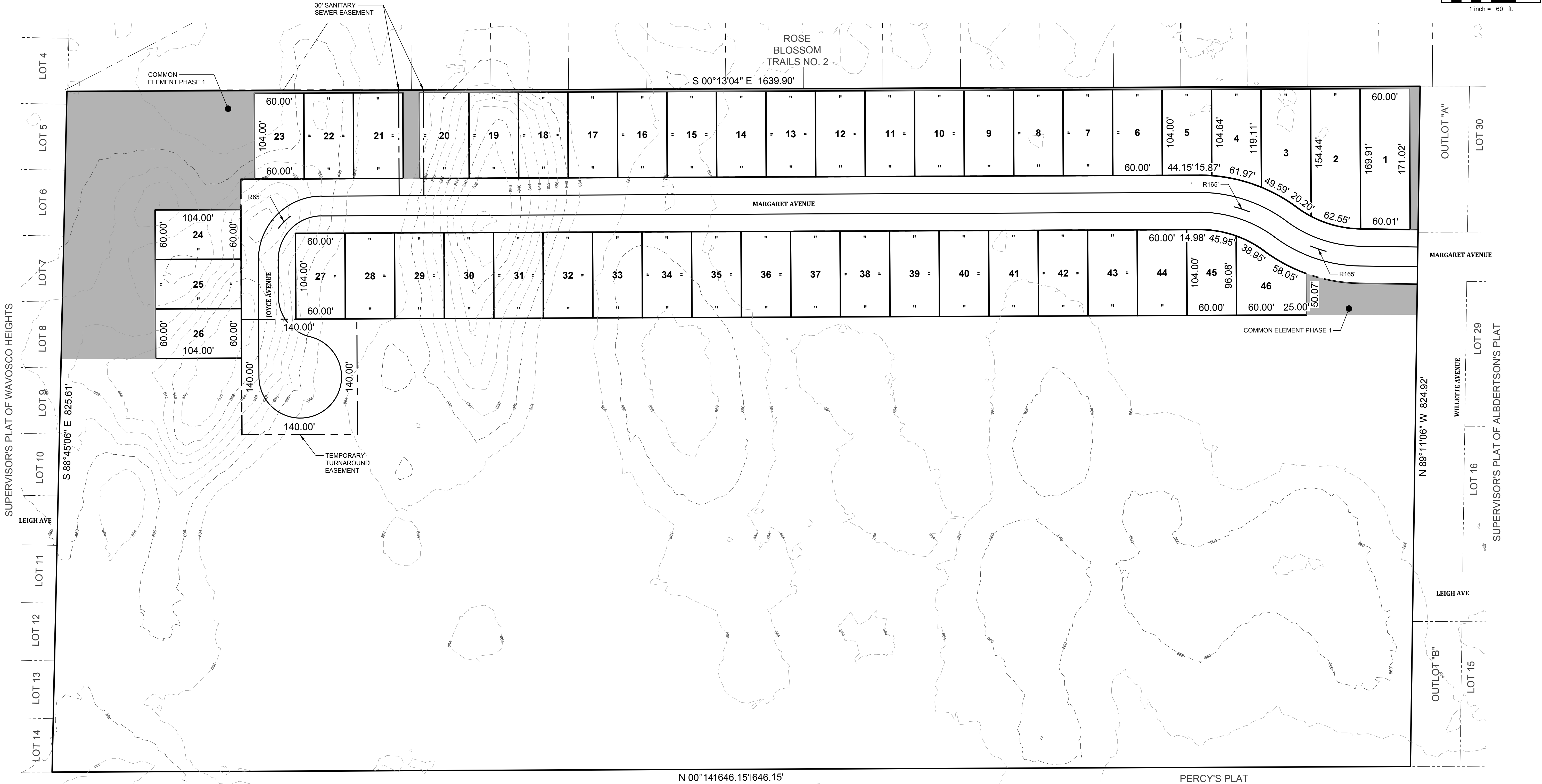
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DATE: 03/03/2026

SCALE: AS NOTED

PHASING PLAN

JOB No. 251002
C001
OF 4



LEGAL DESCRIPTION

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PROPRIETOR

PROPRIETOR
JOYCE & DON LLC
5071 GULL ROAD
KALAMAZOO, MI 49048
(269) 345-3859
RESPONSIBLE PARTY
MATTHEW WATTS
MATT@MYWATTSHOME.COM

ENGINEER

ENGINEERING FIRM
WIGHTMAN
433 E. RANSOM
KALAMAZOO, MI 49007
(269) 200-2703
DESIGN ENGINEER
PAUL SCHRAM, P.E.
PSCHRAM@GOWIGHTMAN.COM

Unit Area Table	
Unit #	Area (SF)
1	10228
2	9883
3	8137
4	6613
5	6243
6	6240
7	6240
8	6240
9	6240
10	6240
11	6240
12	6240
13	6240
14	6240
15	6240
16	6240

Unit Area Table	
Unit #	Area (SF)
17	6240
18	6240
19	6240
20	6240
21	6240
22	6240
23	6240
24	6240
25	6240
26	6240
27	6240
28	6240
29	6240
30	6240
31	6240
32	6240

Unit Area Table	
Unit #	Area (SF)
33	6240
34	6240
35	6240
36	6240
37	6240
38	6240
39	6240
40	6240
41	6240
42	6240
43	6240
44	6240
45	6123
46	6168

NOTES:

UNIT COUNTS
LEIGH AVENUE CONDOMINIUMS: 138 UNITS

PHASE 1: 46 UNITS

ZONING/SETBACKS
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SETBACKS:
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REQUIRED = 25' FRONT
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* REQUIRED = 10' SIDE
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MINIMUM UNIT WIDTH:
REQUIRED = 60'
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UNIT AREA
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SANITARY SEWER
PROPOSED SITE CONDOMINIUM WILL BE SERVED BY PUBLIC SANITARY SEWER. WHERE BASEMENTS CAN NOT BE SERVED BY GRAVITY, BASEMENT SEWER DISCHARGE WILL BE MANAGED BY PRIVATE EJECTOR PUMPS.

WATER
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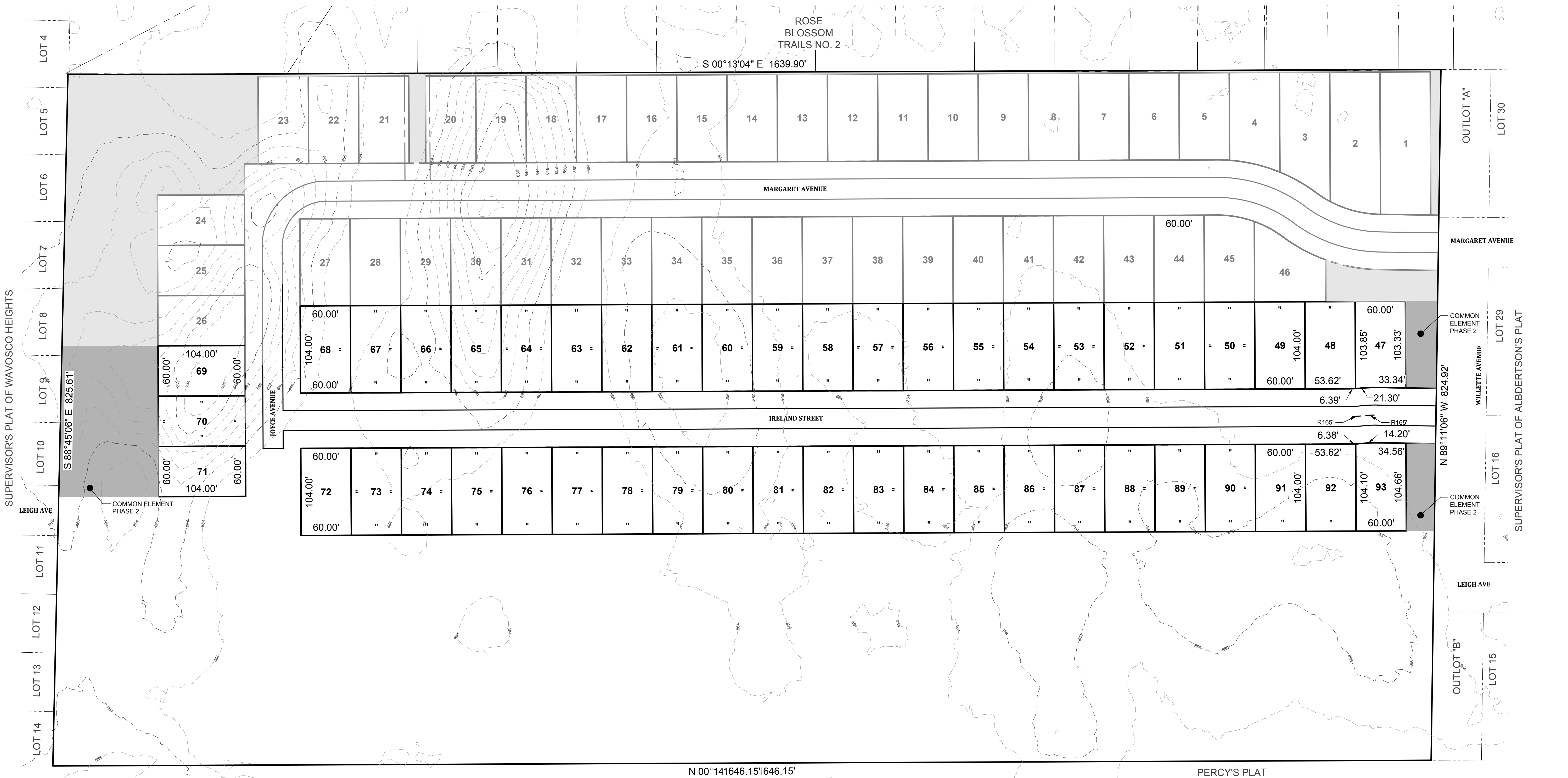
STORM SEWER
STORM SEWER SYSTEM WILL BE CONSTRUCTED IN ACCORDANCE WITH ROAD COMMISSION OF KALAMAZOO COUNTY AND KALAMAZOO COUNTY DRAIN COMMISSIONER REQUIREMENTS. THE STORM SEWER FACILITIES WITHIN THE PUBLIC ROAD RIGHTS OF WAY WILL BE DEDICATED TO THE ROAD COMMISSION. ALL STORM RUNOFF WILL BE DIRECTED TO A RETENTION POND LOCATED ALONG THE SOUTH PROPERTY LINE

STREETS
ALL STREETS WILL BE PUBLIC WITH ASPHALT VALLEY GUTTER CURB AND ASPHALT SURFACES, WIDTH TO BE 28' BACK OF CURB TO BACK OF CURB IN A 66' RIGHT-OF-WAY.

STREET LIGHTING
STREET LIGHTING WILL BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THE COMSTOCK CHARTER TOWNSHIP STREET LIGHTING POLICY.

PRIVATE UTILITIES
PRIVATE UTILITIES SUCH AS GAS, ELECTRIC, CABLE TV, ETC. SHALL BE LOCATED IN PRIVATE EASEMENTS. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.

CONTIGUOUS PROPERTIES
THE PROPRIETOR HAS NO OWNERSHIP INTEREST IN THE ADJACENT PROPERTIES OR PLANS TO DEVELOP THE ADJACENT PROPERTIES.



LEGAL DESCRIPTION

LAND SITUATED IN THE TOWNSHIP OF COMSTOCK, COUNTY OF KALAMAZOO, STATE OF MICHIGAN DESCRIBED AS FOLLOWS: THE EAST 50 RODS OF THE NORTH 154 RODS OF THE WEST FRACTIONAL 1/2 OF THE NORTHWEST FRACTIONAL 1/4 OF SECTION 7, TOWN 2 SOUTH, RANGE 10 WEST, EXCEPT THEREFROM THE NORTH 893 FEET.

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PROPRIETOR

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KALAMAZOO, MI 49048
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RESPONSIBLE PARTY MATTHEW WATTS
MATT@MYWATTSHOME.COM

ENGINEER

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433 E. RANSOM
KALAMAZOO, MI 49007
(269) 200-2703
DESIGN ENGINEER PAUL SCHRAM, P.E.
PSCHRAM@GOWIGHTMAN.COM

Unit Area Table	
Unit #	Area (SF)
47	6183
48	6240
49	6240
50	6240
51	6240
52	6240
53	6240
54	6240
55	6240
56	6240
57	6240
58	6240
59	6240
60	6240
61	6240
62	6240

Unit Area Table	
Unit #	Area (SF)
63	6240
64	6240
65	6240
66	6240
67	6240
68	6240
69	6240
70	6240
71	6240
72	6240
73	6240
74	6240
75	6240
76	6240
77	6240
78	6240

Unit Area Table	
Unit #	Area (SF)
79	6240
80	6240
81	6240
82	6240
83	6240
84	6240
85	6240
86	6240
87	6240
88	6240
89	6240
90	6240
91	6240
92	6240
93	6295

NOTES:

UNIT COUNTS
LEIGH AVENUE CONDOMINIUMS: 138 UNITS

PHASE 2: 47 UNITS

ZONING/SETBACKS
ZONING - R-1C
SETBACKS:
(PRINCIPLE STRUCTURE)
REQUIRED = 25' FRONT
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* REQUIRED = 10' SIDE
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REQUIRED (R-1C, PLATTED, WITH WATER AND SEWER) = 6,000 SFT
PROPOSED = 6,183 SFT

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**WIGHTMAN**
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PAUL D. SCHRAM
6201067420
PROJECT NAME:
**LEIGH AVENUE
SITE CONDO**
WILLETTE AVE
KALAMAZOO, MI 49048

**WATTS HOMES
AND
CONSTRUCTION**
5071 GULL ROAD
KALAMAZOO, MI 49048

01 03/03/2026 PDS
REVISED PER TOWNSHIP
COMMENTS

REVISIONS
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DATE: 03/03/2026
SCALE: 1" = 60'

PHASE 2

JOB No. 251002
C003
OF 4



LEGAL DESCRIPTION

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PROPRIETOR

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(269) 345-3859
RESPONSIBLE PARTY MATTHEW WATTS
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ENGINEER

ENGINEERING FIRM WIGHTMAN
433 E. RANSOM
KALAMAZOO, MI 49007
(269) 200-2703
DESIGN ENGINEER PAUL SCHRAM, P.E.
PSCHRAM@GOWIGHTMAN.COM

Unit Area Table	
Unit #	Area (SF)
94	6328
95	6240
96	6240
97	6240
98	6240
99	6240
100	6240
101	6240
102	6240
103	6240
104	6240
105	6240
106	6240
107	6240
108	6240
109	6240

Unit Area Table	
Unit #	Area (SF)
110	6240
111	6240
112	6240
113	6240
114	6240
115	6240
116	6240
117	6240
118	6240
119	6240
120	6240
121	6240
122	6240
123	6240
124	6240
125	6240

Unit Area Table	
Unit #	Area (SF)
126	6240
127	6240
128	6240
129	6240
130	6240
131	6240
132	6240
133	6240
134	6240
135	6406
136	7539
137	9618
138	10407

NOTES:

UNIT COUNTS
LEIGH AVENUE CONDOMINIUMS: 138 UNITS

PHASE 3: 45 UNITS
ZONING/SETBACKS
ZONING - R-1C
SETBACKS:
(PRINCIPLE STRUCTURE)
REQUIRED = 25' FRONT
REQUIRED = 35' REAR
* REQUIRED = 10' SIDE
PROPOSED = 25' FRONT
PROPOSED = 35' REAR
PROPOSED = 10' SIDE
* UNDER R-1C, ONE SIDE SETBACK MUST BE AT LEAST 10'.
THE OTHER SIDE SETBACK MUST BE AT LEAST 5'

UNIT WIDTH
MINIMUM UNIT WIDTH:
REQUIRED = 60'
PROPOSED = 60'
UNIT AREA
MINIMUM UNIT AREA:
REQUIRED (R-1C, PLATTED, WITH WATER AND SEWER) = 6,000 SFT
PROPOSED = 6,240 SFT

FLOODPLAIN
THIS AREA IS LOCATED IN TWO REGIONS, BOTH CLASSIFIED ZONE X - AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN. ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 2807C0192E EFFECTIVE DATE JULY 31, 2024 AND 2807C0185E EFFECTIVE DATE JULY 31, 2024.

SANITARY SEWER
PROPOSED SITE CONDOMINIUM WILL BE SERVED BY PUBLIC SANITARY SEWER. WHERE BASEMENTS CAN NOT BE SERVED BY GRAVITY, BASEMENT SEWER DISCHARGE WILL BE MANAGED BY PRIVATE EJECTOR PUMPS.

WATER
THE PROPOSED CONDOMINIUM WILL BE SERVED BY PUBLIC WATER MAIN. ALL HYDRANTS SHALL BE LOCATED NOT MORE THAN 500' APART AND SITUATED SUCH THAT ALL PORTIONS OF BUILDINGS ARE WITHIN 250' OF A HYDRANT.

STORM SEWER
STORM SEWER SYSTEM WILL BE CONSTRUCTED IN ACCORDANCE WITH ROAD COMMISSION OF KALAMAZOO COUNTY AND KALAMAZOO COUNTY DRAIN COMMISSIONER REQUIREMENTS. THE STORM SEWER FACILITIES WITHIN THE PUBLIC ROAD RIGHTS OF WAY WILL BE DEDICATED TO THE ROAD COMMISSION. ALL STORM RUNOFF WILL BE DIRECTED TO A RETENTION POND LOCATED ALONG THE SOUTH PROPERTY LINE

STREETS
ALL STREETS WILL BE PUBLIC WITH ASPHALT VALLEY GUTTER CURB AND ASPHALT SURFACES, WIDTH TO BE 28' BACK OF CURB TO BACK OF CURB IN A 66' RIGHT-OF-WAY.

STREET LIGHTING
STREET LIGHTING WILL BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THE COMSTOCK CHARTER TOWNSHIP STREET LIGHTING POLICY.

PRIVATE UTILITIES
PRIVATE UTILITIES SUCH AS GAS, ELECTRIC, CABLE TV, ETC. SHALL BE LOCATED IN PRIVATE EASEMENTS. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.

CONTIGUOUS PROPERTIES
THE PROPRIETOR HAS NO OWNERSHIP INTEREST IN THE ADJACENT PROPERTIES OR PLANS TO DEVELOP THE ADJACENT PROPERTIES.

**WIGHTMAN**
433 E. RANSOM ST.
KALAMAZOO, MI. 49007
269.327.3532
www.gowightman.com

PAUL D. SCHRAM
6201067420
PROJECT NAME:
**LEIGH AVENUE
SITE CONDO**
WILLETTE AVE
KALAMAZOO, MI 49048

**WATTS HOMES
AND
CONSTRUCTION**
5071 GULL ROAD
KALAMAZOO, MI 49048

01 03/03/2026 PDS
REVISED PER TOWNSHIP
COMMENTS

REVISIONS
THIS DRAWING IS THE PROPERTY OF WIGHTMAN & ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF WIGHTMAN & ASSOCIATES, INC.
DATE: 03/03/2026
SCALE: 1" = 60'

PHASE 3

JOB No. 251002
C004
OF 4



MEMO

Charter Township of Comstock Planning Commission March 12, 2026

From: Khayci Bryant, Planner

Re: Landscaping with sample ordinances

Attachments:

[Landscaping_030326_REVISIONS.docx](#)

[Kalamazoo Township Landscaping.pdf](#)

5.4 Landscaping

- A. **Statement of purpose.** The purpose of this Section is to identify the landscaping objectives by setting forth minimum yet flexible standards for required landscape areas for those uses requiring site plan review. The objectives of the landscape requirements work to accomplish the following:
1. Increase compatibility between abutting uses including roads and to provide buffering between dissimilar land uses.
 2. Protect residential quality of life.
 3. Improve air quality, provide shade and reduce noise.
 4. Decrease wind velocity, reduce soil erosion and increase surface water retention.
 5. Reduce glare from buildings, cars, night lighting, and other sources.
 6. Screen unattractive features.
 7. Provide visual relief from monotonous features such as building walls, large parking lots and streets.
 8. Encourage use of native plants as they are well adapted to local conditions, reduce the need for fertilizers, pesticides and water, and are less expensive to maintain.
- B. **Scope.** All uses subject to site plan review shall be landscaped in accordance with a plan meeting the requirements of this Section.
- C. **General provisions.**
1. Portions of the site not devoted to floor area, parking, access ways or pedestrian use shall be landscaped with live plant material consisting of deciduous canopy and coniferous trees, understory trees, shrubs, ground cover, and grasses and maintained in a neat and orderly manner.
 2. A landscaping plan drawn to scale shall be submitted detailing the location, type and size of all plant material, berms, walls and fences, and their relationship to existing and proposed facilities, structures, pavement, and access points. It must be of sufficient detail for the reviewing body to determine conformity with this section. Plans shall be reviewed pursuant to this Section and [Section 6.1 Site plan review procedures](#).
 3. Landscaping material and structures shall be placed in such a manner so as to not interfere with cross-visibility, public safety, **powerlines**, or the safe movement of vehicles and pedestrians. **No landscaping shall be established or maintained on any parcel or in any parking lot that will obstruct the view of drivers.**
 4. Completion of landscaping shall coincide with the completion of the building or structure unless a later date is permitted in writing by the Township and a performance guarantee is provided, pursuant to [Section 7.4 Surety bonds](#).
 5. Any areas that become disturbed for any reason shall be restored in accordance with the original landscape plan unless approved otherwise in writing by the Township.
- D. **Greenspace areas.**
1. The following table ([Table 5.4\(D\)\(1\) Landscaping Requirements: Greenspace Depth and Plant Material Quantities per 100 Linear Feet](#)) indicates greenspace landscaping requirements stated in terms of depth of the greenspace as measured from the property line or right-of-way line, whichever is applicable, and the number and type of plant units required per 100 linear feet of greenspace. The clustering of plant material within a greenspace is encouraged.

Table 5.4(D)(1) Landscaping Requirements: Greenspace Depth and Plant Material Quantities per 100 Linear Feet

Greenspace Type	A	8	C	D	E
Minimum depth of greenspace (feet)	10	10	20	25	30
Canopy tree		2	2	3	4
Understory tree	2	4	3	6	6
Shrubs			4	9	12
Evergreen/Conifer tree		2		2	4

2. **Table 5.4(0)(2) Greenspace Type** indicates the Greenspace Type required on properties based upon zoning and road classification. The letter designations indicated in **Table 5.4(0)(2) Greenspace Type** refer to the requirements and standards stated in **Table 5.4(0)(1) Landscaping Requirements: Greenspace Depth and Plant Material Quantities per 100 Linear Feet**.

Table 5.4(D)(2) Greenspace Type

Zoning of Subject Site ¹	Adjacent Zoning or Road Classification										
	AGR	A-H	R1-A R1-8 R1-C	RM RMH	0-1	CC	8-1 8-2 8-3	LM LO M	OW	Arterial, Collector or Local	Private Street Easement
AGR² A-H²	C	C	C	B	A	-	A	B	A	C	A
R1-A2 R1-8² R-1C²	A	A	A	A	B	-	B	B	A	C	A
RM RMH	E	E	E	B	B	-	B	B	A	C	A
0-1	B	B	C	A	A	A	B	B	A	C	A
8-1	B	B	0	D	B	A	C	C	C	C	A
8-2 B-3	0	D	E	D	D	A	C	C	C	C	A
LM LO M	D	D	E	D	C	-	C	C	C	C	A
OW	-	-	A			-			A		
C	-	-	A	A		A	A			n/a	n/a

¹ Greenspace type for Special Land Uses may be increased by the Planning Commission based upon review of the criteria of [Section 6.2 Special land uses, subsection C](#).

² Criteria apply to permitted uses other than farms, single- or two-family dwellings, home occupations unless other determined necessary by the Planning Commission and uses accessory to single- and two-family dwellings.



3. Berms. Landscaped undulating earthen berms not exceeding six feet in height, as measured from the grade of the abutting paved area, either existing or proposed, of the subject site, and 3:1 slope may be permitted within a required greenspace. Credit of up to 25 percent may be received against the required plantings in a greenspace with the use of berms three feet in height or greater in said greenspace.
 4. No off-street parking, storage, outdoor commercial or industrial ground activities, or structures shall be permitted in greenspace areas.
- E. **Screening.** Whenever screening is required by this ordinance, one of the following methods or combinations thereof may be required by the Planning Commission based upon the specific character of the proposed use of the subject property and the nature of the surrounding property, shall be utilized, unless otherwise specified in lieu of the provisions of **subsection D:**
1. A natural compact planting area of narrow upright evergreens planted at no greater lineal spacing than 3 feet on center or 4½ feet on center when planted on 45° alternate spacing, which maintain their density and screening effect throughout the year; and which shall be maintained in a neat and attractive manner commensurate with adjoining development. An alternate spacing and species plan may be presented provided that it can achieve a compact density which can serve as an immediate screen.
 2. A wall or fence of sufficient density or compactness to screen the structures and activities required to be screened from the view of occupants of adjoining premises or public highways, not less than 6 feet in height, and maintained in a neat and attractive manner commensurate with adjoining development. (See **Section 5.9 Fences** for additional fencing regulations.)
 3. A berm of not less than fifteen (15) feet in width and four (4) feet in height, landscaped with shrubs, evergreen trees, or small deciduous trees planted at not less than one (1) unit per every one hundred (100) square feet of surface area. The balance of the berm shall be covered with lawn, ground cover, bark or wood chips, boulders, cobble, river rock or any combination thereof.
 4. The Planning Commission shall have authority to approve an alternate form of screening if the Planning Commission determines that such alternate form of screening will, given the specific character of the proposed use of the subject property and the nature of the surrounding property, be adequate to accomplish the purposes of screening under this Ordinance and that allowance of such alternate form of screening shall not have a material adverse impact upon the owners and/or occupants of adjoining lands. The burden of proof to show these standards are satisfied shall be on the party seeking approval of such alternate form of screening.
- F. **Plats/site condominiums.** The following section applies to all residential plats and site condominiums:
1. **Street trees along internal roadways.** Each lot within a plat or site condominium shall be required to have at least one canopy tree for every 80 feet of road frontage or portion thereof. The planting of additional canopy trees along streets is encouraged. Trees shall be planted near the street but outside of the right-of-way of all internal roadways. Required street trees shall be planted when the lot or building site is developed, prior to issuance of a Certificate of Occupancy.
 2. **Greenspace along external roadways.** In order to preserve viewsheds on Township roads, plantings in compliance with **Table 5.4(0)(2) Greenspace Type** shall be provided.

3. **Existing trees and vegetation.** To the extent feasible, existing trees and vegetation shall be left undisturbed through the course of development. Existing canopy trees may be credited toward satisfying tree planting requirements.
4. **Replacement.** Required trees and plantings shall be maintained to ensure their survival. At the discretion of the Planning Commission, a performance guarantee may be required to ensure that proposed landscaping is maintained for a period of at least 18 months per [subsection K](#). Such guarantee may take the form of an irrevocable letter of credit, certified check, cash escrow, or performance bond.

- G. **Parking lots.** Parking lot landscaping shall be designed and situated to define safe access and circulation routes, provide shade and visual relief, and diminish the scale of large lots.

Landscape features, including end islands, peninsulas, and strips shall be installed in the interior of parking lots to delineate on-site circulation, ensure adequate sight distance at the intersection of aisles and interior roadways, and to prevent diagonal vehicular movement through parking lots. Features shall be designed with sufficient radii to ensure drivers are able to make 90-degree right turns without encroaching upon landscaping or adjacent traffic lanes.

1. Area requirements based on the number of parking spaces are indicated in [Table 5.4\(G\)\(1\) Parking Lot Landscaping](#).

Table 5.4(G)(1) Parking Lot Landscaping	
Spaces	Land area per parking space
9 or less	10 square feet
10-49	15 square feet
51-99	25 square feet
100+	30 square feet
500,000 sq. ft. and over	13 spaces, plus 1 space for each 80,000 sq. ft. in excess of 500,000 sq. ft.

2. **Minimum size.** The minimum size of any internal landscaped area shall be 300 square feet, with a minimum width of ~~15~~ 10 feet. Landscaping islands larger than 300 square feet are encouraged to enhance visual effect as viewed from the abutting road.
3. **Protection of Landscaping.** Interior landscape areas shall be protected by the installation of a raised concrete or asphalt curb, anchored landscape timbers around the border, bumper blocks, or other suitable means. A minimum distance of three feet shall be established between proposed tree and shrub plantings and the backside of the curb or timbers to facilitate snow storage while protecting the plantings.
4. **Required Plantings.** The number and type of plantings shall be determined at a rate of one deciduous canopy tree and two low growing shrubs per 300 square feet of interior landscape area.



- H. **Loading areas.** Loading areas shall be landscaped in such a manner as to screen the area from view of adjacent property, public right-of-way or private access easement. Plants, berms, walls, and/or solid decorative fencing may be used. When loading areas are adjacent to residentially zoned or used land, the screening must be a minimum of six feet high at installation.
- I. **Rubbish disposal and recyclables facilities.**
1. Rubbish disposal facilities including dumpsters and other commercial containers for waste and recyclable material shall be situated on a hard surface and enclosed by a solid wall or solid fence no less than six (6) feet in height on three sides. In addition, if the front of the disposal facility is visible from an adjacent property, public right-of-way or private access easement, six-foot high view obstructing doors shall be installed. Enclosure structures and gates shall be maintained in good repair at all times. The use of chain-link fencing with or without interwoven slats is not permitted.
 2. Recyclable materials, such as pallets and bales, shall be situated and enclosed as described above unless waived by the reviewing body.
- J. **Stormwater retention areas.** Any fenced areas that are visible from an adjacent property, public right-of-way or private access easement shall be landscaped to screen them from view.
- K. **Material requirements and maintenance.**
1. At least 50 percent of required canopy trees shall be native to Lower Michigan. At least 30 percent of all other required landscape material within each Plant Material Type shall be native to Lower Michigan. For a listing of species native to Lower Michigan, see MICHIGAN FLORA ONLINE at www.michiganflora.net.
 2. **Hardy Plant Materials.** All landscaping material shall be hardy to the area and appropriate to the situation in which it is proposed, free of disease and insects, and conform to the American Standard for Nursery Stock of the American Association of Nurserymen.
 3. **Minimum Plant Size.** Plant materials shall meet the minimum plant size requirements contained in [Table 5.4\(K\)\(3\) Minimum Plant Size](#). Height of a plant is measured from the top of the root ball or top of the container soil to the top of the leader, the primary stem of the plant.

Table 5.4(K)(3) Minimum Plant Size	
Plant Material Type	Size
Canopy Tree: Single Stem	2-inch caliper
Canopy Tree: Multi-stem, Clump	10 feet (height)
Understory Tree	8 feet to 10 feet (height)
Evergreen Tree	5 feet (height)
Shrub: Deciduous	24 inches (height)
Shrub: Evergreen	18 inches (height)
Shrub: Low growing	2-gallon pot

4. **Monoculture.** The use of a single species is prohibited to increase the rate of plant survival. Except for plantings used for evergreen screening, no one species of tree or shrub may make up more than 50% of the total amount within each Plant Material Type.
5. Species not permitted as required street tree plantings and that should be used with caution when placed in proximity to any existing or proposed building, structure, walkway, or parking area are listed in **Table 5.4(K)(5) Species of Special Consideration**. These species may be appropriate in buffer areas or for landscape restoration.

Table 5.4(K)(5) Species of Special Consideration	
Botanical Name	Common Name
Acer negundo	Box Elder
Acer saccharinum	Silver Maple
Aesculus hippocastanum	Horse Chestnut
Ailanthus altissima	Tree of Heaven
Catalpa speciosa	Catalpa
Ginkgo biloba (Female)	Female Ginkgo
Populus spp.	Poplars, Cottonwood, Aspen
Liquidambar styraciflua	Sweet Gum
Salix spp.	Willows
Ulmus spp.	Elms

6. Any species known to have structural weakness or excessive bearing of fruit or nuts should not be used in areas of vehicular or pedestrian traffic.
7. **Invasive species.** To protect species indigenous to the Township, the use of invasive species which naturalize is not permitted. Those invasive species not permitted are listed on the Midwest Invasive Species Information Network at <http://www.misin.msu.edu/>.
8. **Maintenance.** Landscape areas shall be maintained in a neat and orderly manner including mowing, fertilizing, pruning, and irrigation to promote optimum condition.
9. **Replacement.** Withered and/or dead plant materials shall be replaced within a reasonable period of time but no longer than one growing season later.
10. Shrubs shall be grouped within the required greenspace and parking lot landscape areas when appropriate for aesthetic value and ease of maintenance.

- L. **Preservation of existing trees.** Credit shall be awarded for preserving canopy trees. By preserving canopy trees, tree planting requirements can be significantly reduced. The number of credits awarded for tree preservation shall be in accordance with [Table 5.4\(L\) Tree Preservation Credits](#). Trees intended to be preserved shall be indicated on the landscape plan and type and size shall be noted. Tree protection fencing shall be required according to [subsection N](#).

Table 5.4(L) Tree Preservation Credits	
Diameter of Preserved Tree*	Number of Trees Credited
Over 24 inches	4
12 inches to 24 inches	3
8 inches to 11.9 inches	2
2 inches to 7.9 inches	1
* Diameter measured at 4' above ground level	

- M. **Preservation of existing native vegetation.** Credit shall be awarded for preserving existing vegetation native to Lower Michigan, including shrubs and grassland species. By preserving existing native vegetation, tree and shrub planting requirements can be significantly reduced. The number of credits awarded shall be determined by the Zoning Administrator based on existing species and the intended function of the required tree and shrub plantings.
- N. Tree protection prior to and during construction.
- Before development, the developer or builder shall erect tree protection fencing that will shield and protect all trees designated to be preserved. Fencing should be placed no closer than ten feet from the trunk of a tree or five feet beyond the drip line of a tree or group of trees, whichever is greater.
 - Fencing shall be a minimum of 48 inches high.
 - Tree protection fencing shall be maintained during construction and all construction materials, supplies, and equipment shall be kept out of the protected areas.
 - Location of tree protection fencing must be shown on the approved landscape plan.
- O. **Provisions for existing sites.**
- Perimeter and parking area landscape requirements shall apply to all expansions, renovations, or alterations that increase the gross floor area. Each increase in gross floor area of one percent shall require the installation of a minimum of five percent of the landscaping for the total site.
 - Landscape requirements for Parking Areas, [subsection G](#) shall apply when expansions increase the number of parking spaces by 20 percent or at least ten parking spaces.
 - When parking lots not in conformance with this section are milled and resurfaced landscaping in accordance with [subsection G](#) is encouraged.

P. **Exceptions.**

1. **Additional Planting Requirements.** For reason of conflicting uses, unfavorable topography, or other unique or extenuating physical circumstances, the reviewing body may increase required landscape plantings in any required greenspace if in its determination an increase is found necessary to reasonably achieve the spirit, purpose and intent of this Section.
 2. **Reductions and Substitutions of Plantings.** If a physical hardship exists or existing topography and vegetation are determined by the reviewing body to provide equal or better landscape and buffering effect, the reviewing body may approve modifications only to the planting requirements of **subsection D**. The reviewing body may require such alternate plantings and visual screens as hedges, fences, walls, and/or combination thereof which it deems necessary to **protect public safety, welfare and to** ensure compliance with the spirit, purpose and intent of this Section.
Practical and reasonable?
0. **Greenspace within the public right-of-way and private access easements.** The land area lying between the required greenspace in the front yard of properties and the edge of pavement of a public or private access easement shall be neatly maintained with grass or groundcover.



ARTICLE 5.00

Landscaping and Screening

Section 5.01 Intent and Scope of Requirements

A. Intent

Landscaping enhances the visual image of the Township, while preserving natural features, improving property values, and alleviating the impact of noise, traffic, and visual distraction associated with certain uses. Screening is important to protect less intensive uses from the noise, light, traffic, litter and other impacts of more intensive, nonresidential uses. These provisions are intended to set minimum standards for the design and use of landscaping, greenbelts, and screening, and for the protection and enhancement of the Township's environment. More specifically, the intent of these provisions is to:

1. Improve the appearance of off-street parking areas, vehicular use areas, and property abutting public rights-of-way,
2. Protect and preserve the appearance, character, and value of the neighborhoods that abut non residential areas, parking areas, and other intensive use areas, thereby protecting the public health, safety and welfare,
3. Reduce soil erosion and depletion, and
4. Increase soil water retention, thereby helping to prevent flooding.

B. Scope of Application

No site plan shall be approved unless it shows landscaping consistent with the requirements of this Article. A building permit shall not be issued until the required landscape plan is submitted and approved, and a certificate of occupancy shall not be issued unless provisions set forth in this section have been met or a performance guarantee has been posted in accordance with the provisions set forth in Section 2.13. The requirements in this Article shall not apply to single family detached homes, unless otherwise specifically noted.

C. Minimum Requirements

The requirements in this Article are minimum requirements, and under no circumstances shall they preclude the developer and the Township from agreeing to more extensive landscaping.

D. Design Creativity

Creativity in landscape design is encouraged. Accordingly, required trees and shrubs may be planted at uniform intervals, at random, or in groupings, depending on the designer's desired visual effect and, equally important, the intent of the Township to coordinate landscaping on adjoining properties.

E. Summary of Regulations

The following table summarizes the landscaping regulations contained in this Article. In the case of a discrepancy between the table and the text of Section 5.02, the text shall control.

Summary of Minimum Landscaping Requirements (see Section 5.02)

	General Landscaping Ratio	Plant Height	Minimum Planting Area Width	Minimum Plant Material Quantities		
				Deciduous or Evergreen Trees	Ornamental Trees	Shrubs
General Site Landscaping	--	--	--	One tree per 3,000 sq. ft. ^a	--	--
Landscaping Adjacent to Roads	--	--	15 feet	One tree per 40 linear feet	One tree per 100 linear feet	Eight shrubs per 40 linear feet
Berms in Front Yard	--	3 feet, maximum	<i>see text</i>	One tree per 40 linear feet	One tree per 100 linear feet	Eight shrubs per 40 linear feet
Greenbelts	--	--	20 feet ^b	One tree per 30 linear feet	--	^c
Landscape Screening	--	6 feet, minimum	^d	^e	--	--
Parking Lot Landscaping	30 sq. ft. per parking space	--	9 feet	One shade tree per 5 spaces	--	--
^a Multiple-family residential developments and mobile home parks shall provide 2 trees and 4 shrubs per dwelling unit or lot. ^b Greenbelts provided in conjunction with a screening wall shall be a minimum of nine feet in width. ^c Shrubs may be substituted for up to 50% of the total number of required trees, at a rate of eight (8) shrubs for each tree. ^d The minimum width of landscape screening shall be equal to the minimum width for the installation used (i.e., greenbelt or berm). ^e Landscaped screening shall consist of closely-spaced (not more than 15 feet on center) evergreens, arranged to form a complete visual barrier within three years of planting. The Clear Vision Area requirements of Section 5.02, sub-section H, and Section 2.20 shall be observed for all landscaping installations.						

Summary of Plant Material Specifications (see Section 5.04, sub-section C)

	Minimum Caliper	Minimum Height	Minimum Spread
Deciduous Trees	2.5 inches <i>measured at 12 inches above grade</i>	--	--
Ornamental Trees	1.5 inches <i>measured at 6 inches above grade</i>	--	--
Evergreen Trees	--	6.0 feet	2.5 feet
Shrubs	--	2.5 feet	2 feet
Hedges	--	2.5 feet	--

Section 5.02 General Landscaping Requirements

A. General Site Requirements

All developed portions of the site shall conform to the following general landscaping standards, except where specific landscape elements, such as a greenbelt, berms, or screening are required:

1. All unpaved portions of the site shall be planted with grass, ground cover, shrubbery, or other suitable live plant material. Such plant material shall extend to the edge of any abutting paved area, roadway, or gravel shoulder, except that trees and shrubs shall be set back a minimum of ten feet from the edge of any uncurbed paved area, roadway, or gravel shoulder. Grass areas in the front yard of all non-residential uses shall be planted with sod or hydro-seeded.
2. A mixture of evergreen and deciduous trees shall be planted on non-residential parcels at the rate of one (1) tree per 3,000 square feet or portion thereof of any unpaved open area for which specific landscaping requirements do not appear later in this Article. Required trees may be planted at uniform intervals, at random, or in groupings.

B. Landscaping Adjacent to Roads

1. Planting Requirements

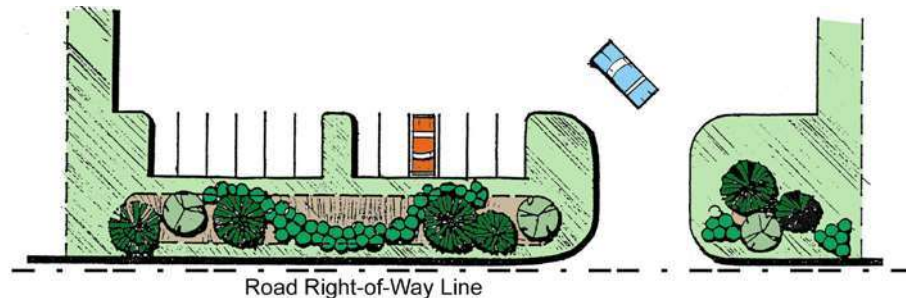
Where required, landscaping adjacent to roads shall comply with the following planting requirements:

Type of Plant Material	Minimum Amount Required
Deciduous Shade or Evergreen Tree	1 per 40 linear feet of road frontage
Ornamental Tree	1 per 100 linear feet of road frontage
Shrubs	8 per 40 linear feet of road frontage

For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted (see diagram). Trees and shrubs may be planted at uniform intervals, at random, or in groupings. Fractional amounts shall be rounded up to the next whole tree or shrub.

2. Location and Dimensions

Required landscaping adjacent to roads shall be located totally on private property within a planting strip adjacent to the road right-of-way. The minimum width of the planting strip shall be fifteen (15) feet.



Example Calculation for Landscaping Adjacent to Roads (Section 5.02, sub-section B)

Total Parcel Width = 250 feet

Driveway Width = 30 feet

Road Frontage = $250 - 30 = 220$ feet

Deciduous or Evergreen Trees Required = $220 \text{ feet} / 40 = 5.5 \rightarrow$ **6 trees required**

Ornamental Trees Required = $220 \text{ feet} / 100 = 2.2 \rightarrow$ **3 ornamental trees required**

Shrubs Required = $220 \text{ feet} / 40 = 5.5 \times 8 =$ **44 shrubs required**

C. Berms

Where required, berms shall conform to the following standards:

1. Dimensions

Unless otherwise indicated or appropriate, required berms shall be measured from the grade of the parking lot or flat ground adjacent to the berm, and shall be constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal (33 percent slope), with at least a two (2) foot flat area on top. Berms may undulate in height, subject to review and approval of berm design as shown on the site plan. Unless otherwise indicated, the maximum height of required berms shall be three (3) feet.

2. Protection from Erosion

Any required berm shall be planted with sod, ground cover, or other suitable live plant material to protect it from erosion so that it retains its height and shape. The use of railroad ties, cement blocks, and other types of construction materials to retain the shape and height of a berm shall be prohibited unless specifically reviewed and approved by the Planning Commission.

3. Required Plantings**a. *Front Yard Berms***

Berms located in the front yard of non residential parcels shall be landscaped in accordance with the requirements for Landscaping Adjacent to Roads, Section 5.02, sub-section B.

b. *Screening Berms*

Berms used for screening other than in the front yard shall be landscaped in accordance with the requirements for Screening, Section 5.02, sub-section E.

4. Measurement of Berm Length

For the purposes of calculating required plant material, berm length shall be measured along the exterior edge of the berm.

D. Greenbelts

Where required, greenbelts shall conform to the following standards:

1. Measurement of Greenbelt Length

For the purposes of calculating required plant material, greenbelt length shall be measured along the exterior edge of the greenbelt.

2. General Planting Requirements**a. *Grass or Ground Cover Requirements***

Grass, ground cover, or other suitable live plant materials shall be planted over the entire greenbelt area, except where paved walkways are used.

b. *Tree and Shrub Requirements*

Except where the greenbelt is used for screening, a minimum of one (1) deciduous or evergreen tree shall be planted for each thirty (30) linear feet or portion thereof of required greenbelt. Shrubs may be substituted for up to 50% of the total number of required trees, at a rate of eight (8) shrubs for each tree. Trees and shrubs may be planted at uniform intervals, at random, or in groupings.

c. *Greenbelt Width*

The minimum width of any required greenbelt shall be 20 feet, except where used to obscure a screening wall as noted below, in which case the greenbelt shall be at least nine feet in width.

d. *Distance from Sidewalk*

Plant materials other than turfgrass or ground cover shall not be placed closer than four (4) feet to the right-of-way line where the greenbelt abuts a public sidewalk.

3. Greenbelts Used for Screening

Greenbelts used for screening shall be landscaped in accordance with the requirements for Screening, Section 5.02, sub-section E.

4. Linking Greenbelts

Every effort shall be made to link greenbelts on adjacent parcels so as to provide a continuous landscaped or natural area.

E. Screening**1. General Screening Requirements**

Unless otherwise specified, wherever an evergreen or landscaped screen is required, screening shall consist of closely spaced evergreen plantings (i.e., no farther than fifteen (15) feet apart) which can be reasonably expected to form a complete visual barrier that is at least eight (8) feet above ground level within three (3) years of planting. Deciduous plant materials may be used provided that a complete visual barrier is maintained throughout the year. Wherever screening is required adjacent to residentially-zoned or used property, the screening must be installed prior to the beginning of site grading and general construction, except where such activity would result in damage to the screening.

2. Screening of Equipment

Mechanical equipment, such as air compressors, pool pumps, transformers, sprinkler pumps, satellite dish antennae, and similar equipment shall be screened on at least three (3) sides. Insofar as practical, said screening shall exceed the vertical height of the equipment being screened by at least six (6) inches within two (2) years of planting.

F. Parking Lot Landscaping

In addition to required screening, all off street parking areas shall be landscaped as follows:

1. Landscaping Ratio

Off street parking areas containing greater than ten (10) spaces shall incorporate at least thirty (30) square feet of interior landscaping per parking space.

a. Interior parking lot landscaping may include the following:

(i) Internal islands and medians

(ii) Landscaped areas surrounded on three sides by a parking area (i.e., peninsulas or fingers)

(iii) Landscaped areas at the corners of a parking area and bordered by parking on at least two sides

b. Interior parking lot landscaping shall be located within the parking area to improve its appearance and screen lot edges, reinforce circulation routes, define pleasing pedestrian routes through the parking lot, and maximize shade and stormwater benefits.

c. Interior parking lot landscape areas should be coordinated with the location of light poles and other utilities.

2. Minimum Dimensions

a. Landscaped areas in parking lots shall be no less than nine feet in any single dimension and no less than 300 square feet in area.

b. Landscaped areas in or adjacent to parking lots shall be protected with curbing to prevent encroachment of vehicles. Curbs shall be a minimum of six inches in height and shall be continuous around the parking area, except for curb cuts required for integrated on-site stormwater management or pedestrian accessibility.

3. Other Landscaping

Required landscaping elsewhere on the parcel shall not be counted in meeting the parking lot landscaping requirements.

4. Required Plantings

- a. At least fifty percent (50%) of each interior landscaped area shall be covered by living plant material, such as sod, shrubs, ground cover, or trees. Plant materials other than turfgrass or ground cover shall not be placed closer than two feet to the curbed edge of any interior parking lot landscape area. Trees shall be set back a minimum of four feet from the curbed edge of any interior parking lot landscape area.
- b. A minimum of one deciduous shade tree shall be planted within the parking lot for every ten vehicle parking spaces in the lot.
- c. Plantings within parking lots shall comply with the requirements for unobstructed sight distance set forth in Section 2.20. The landscape plan shall indicate the types, sizes, and quantities of all plant material proposed for interior parking lot landscape areas.

G. Landscaping of Rights-of-Way

Public rights-of-way located adjacent to required landscaped areas and greenbelts shall be planted with grass or other suitable live ground cover, and shall be maintained by the owner or occupant of the adjacent property as if the rights-of-way were part of the required landscaped areas or greenbelts.

H. Maintenance of Unobstructed Visibility for Drivers

No landscaping shall be established or maintained on any parcel or in any parking lot that will obstruct the view of drivers. Accordingly, all landscaping shall comply with the provisions concerning Unobstructed Sight Distance set forth in Section 2.20.

I. Potential Damage to Utilities

In no case shall landscaping material be planted in a way that will interfere with or cause damage to underground utility lines, public roads, or other public facilities. Species of trees whose roots are known to cause damage to public roadways, sewers, or other utilities shall not be planted closer than fifteen (15) feet from any such roadways, sewers, or utilities. Trees shall be set back from overhead utility lines as indicated in the following chart:

Mature Tree Height	Minimum Distance from Center of Trunk to Nearest Overhead Utility Line
Up to 15 feet	10 feet
15 to 25 feet	20 feet
25 to 45 feet	30 feet
Over 45 feet	50 feet

J. Landscaping of Divider Medians

Where traffic on driveways, maneuvering lanes, private roads, or similar vehicle accessways is separated by a divider median, the median shall be curbed and have a minimum width of ten (10) feet. A minimum of one (1) deciduous or evergreen tree shall be planted for each forty (40) linear feet or portion thereof of median. Plant materials other than turfgrass or ground cover shall not be placed closer than two feet to the curbed edge of any landscaped median. Trees shall be set back a minimum of four (4) feet from the curbed edge of any landscaped median.

K. Irrigation

Required landscaping shall be served by an in-ground irrigation/sprinkler system. The Planning Commission may approve an alternate irrigation system provided that all landscape material is within one hundred (100) feet of a spigot.

Section 5.03 Specific Landscaping Requirements for Zoning Districts**A. Requirements for Non-Residential Districts**

All lots or parcels of land located in non-residential zoning districts shall comply with the following landscaping requirements:

1. General Site Landscaping

All developed portions of the site shall conform to the General Site Requirements in Section 5.02, sub-section A, except where specific landscape elements are required.

2. Landscaping Adjacent to Road

All commercial, office, and industrial developments shall comply with the requirements for landscaping adjacent to the road in Section 5.02, sub-section B.

3. Berm Requirements

A berm may be used to screen off-street parking from view of the road, in which case the berm shall be a maximum of three (3) feet in height and shall be planted in accordance with Section 5.02, sub-section B. The berm shall be located totally on private property, adjacent to the road right-of-way.

4. Screening

Screening in the form of a landscaped berm, greenbelt, or wall shall be required wherever a non-residential use abuts directly upon land zoned or used for residential purposes, and/or where loading areas would be visible from residential districts. Landscaped screening shall comply with the requirements in Section 5.02, sub-section E. If a wall is used instead of landscaping, the requirements in Article 6.00 shall be complied with, but a landscaped greenbelt (planted in accordance with Section 5.02, sub-section D) shall be required on the side of the wall facing the residential district.

5. Parking Lot Landscaping

Off-street parking areas containing greater than ten (10) spaces shall comply with the requirements for parking lot landscaping in Section 5.02, sub-section F.

B. Requirements for Multiple Family Districts

All lots or parcels of land located in a multiple family zoning district shall comply with the following landscaping requirements:

1. General Site Landscaping

A minimum of two (2) deciduous or evergreen trees plus four (4) shrubs shall be planted per dwelling unit. Unless otherwise specified, required landscaping elsewhere in the multiple family development shall not be counted in meeting these requirements for trees.

2. Landscaping Adjacent to Road

All multiple family developments shall comply with the requirements for landscaping adjacent to the road in Section 5.02, sub-section B.

3. Berm Requirements

A berm may be used to screen off-street parking from view of the road, in which case the berm shall be a maximum of three (3) feet in height and shall be planted in accordance with Section 5.02, sub-section B. The berm shall be located totally on private property, adjacent to the road right-of-way.

4. Screening

Screening in the form of a landscaped berm, greenbelt, or wall shall be required on all sides of a multiple family development. Landscaped screening shall comply with the requirements in Section 5.02, sub-section E. A wall may be used instead of landscaping adjacent to non-residential districts, subject to the requirements in Article 6.00. If a wall is used instead of landscaping, the requirements in Article 6.00 shall be complied with, but a landscaped greenbelt (planted in accordance with Section 5.02, sub-section D) shall be required on the side of the wall facing away from the multiple-family development.

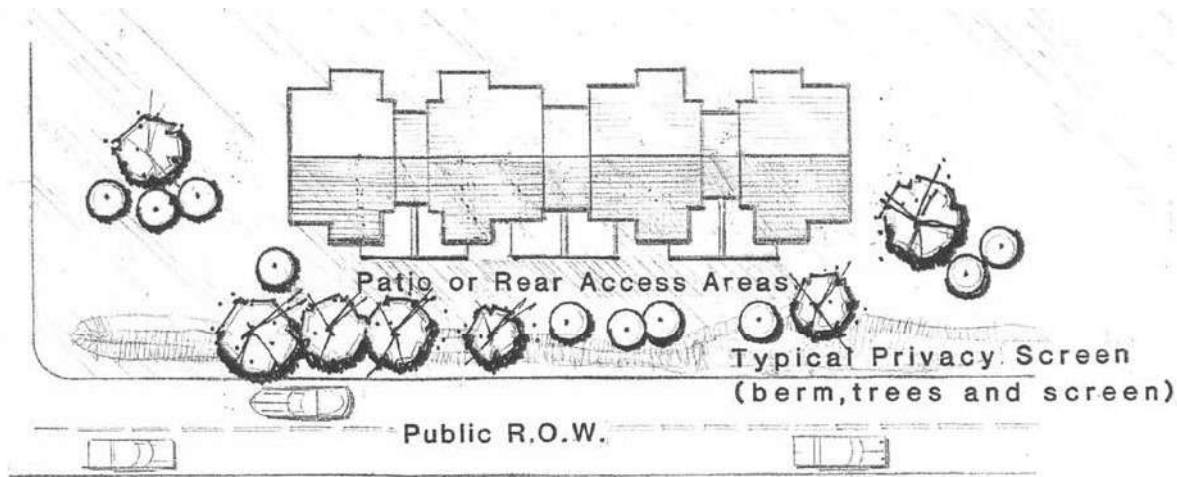
5. Parking Lot Landscaping

Off-street parking areas containing greater than ten (10) spaces shall comply with the requirements for parking lot landscaping in Section 5.02, sub-section F.

6. Privacy Screen

Where multiple family dwellings are designed so that rear open areas or patio areas front onto a public street, a landscaped privacy screen shall be provided (see illustration). The screen may consist of a combination of trees,

shrubs, and berms, subject to review by the Planning Commission.



Privacy Screen (see Section 5.03, sub-section B.6)

C. Requirements for Non-Residential Uses in Residential Districts

All non-residential uses developed in residential zoning districts shall comply with the following landscaping requirements:

1. General Site Landscaping

All developed portions of the site shall conform to the General Site Requirements in Section 5.02, sub-section A, except where specific landscape elements are required.

2. Landscaping Adjacent to Road

All non-residential developments located in residential districts shall comply with the requirements for landscaping adjacent to the road in Section 5.02, sub-section B.

3. Berm Requirements

A berm may be used to screen off-street parking from view of the road, in which case the berm shall be a maximum of three (3) feet in height and shall be planted in accordance with Section 5.02, sub-section B. The berm shall be located totally on private property, adjacent to the road right-of-way.

4. Screening

Screening in the form of a landscaped berm, greenbelt, or wall shall be required wherever a non-residential use abuts directly upon land zoned for residential purposes. Landscaped screening shall comply with the requirements in Section 5.02, sub-section E. If a wall is used instead of landscaping, the requirements in Article 6.00 shall be complied with, and a landscaped greenbelt (planted in accordance with Section 5.02, sub-section D) shall be provided on the side of the wall facing away from the non-residential use.

5. Parking Lot Landscaping

Off-street parking areas containing greater than ten (10) spaces shall comply with the requirements for parking lot landscaping in Section 5.02, sub-section F.

Section 5.04 Standards for Landscape Materials

Unless otherwise specified, all landscape materials shall comply with the following standards:

A. Plant Quality

Plant materials used in compliance with the provisions of this Ordinance shall be nursery grown, free of pests and diseases, hardy in west Michigan, in conformance with the standards of the American Association of Nurserymen, and shall have passed inspections required under state regulations.

B. Non-Living Plant Material

Plastic and other non living plant materials shall not be considered acceptable to meet the landscaping requirements of this Ordinance.

C. Plant Material Specifications

The following specifications shall apply to all plant material proposed in accordance with the landscaping requirements of this Ordinance:

1. Deciduous Shade Trees

Deciduous shade trees shall be a minimum of two and one half (2.5) inches in caliper measured twelve (12) inches above grade with the first branch a minimum of four (4) feet above grade when planted.

2. Deciduous Ornamental Trees

Deciduous ornamental trees shall be a minimum of one and one half (1 1/2) inches in caliper measured twelve (12) inches above grade with a minimum height of four (4) feet above grade when planted.

3. Evergreen Trees

Evergreen trees shall be a minimum of six (6) feet in height when planted. Furthermore, evergreen trees shall have a minimum spread of three (3) feet, and the size of the burlapped root ball shall be at least ten (10) times the caliper measured six (6) inches above grade.

4. Shrubs

Shrubs shall be a minimum of two (2) feet in height when planted. Low growing shrubs shall have a minimum spread of twenty four (24) inches when planted.

5. Hedges

Hedges shall be planted and maintained so as to form a continuous, unbroken, visual screen within two (2) years after planting, barring unusual growing conditions, such as drought or disease. Hedges shall be a minimum of two (2) feet in height when planted.

6. Ground Cover

Ground cover used in lieu of turf grasses in whole or in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one (1) complete growing season.

7. Grass

Grass area shall be planted using species normally grown as permanent lawns in west Michigan. Grass, sod, and seed shall be clean and free of weeds, pests, and diseases. Grass may be sodded, plugged, sprigged or seeded. When grass is to be established by a method other than complete sodding or seeding, nurse grass seed shall be sown for immediate effect and protection until complete coverage is otherwise achieved. Straw or other mulch shall be used to protect newly seeded areas.

8. Mulch

Mulch used around trees, shrubs, and vines shall be a minimum of three (3) inches deep, and installed in a manner as to present a finished appearance.

9. Undesirable Plant Material

Use of plant materials that are invasive to natural habitats, that cause disruption to storm drainage, or that are susceptible to pests or disease is not encouraged. The following plant materials exhibit such characteristics, and therefore their use is not encouraged in the Township:

Box Elder <i>Acer negundo</i>	Norway Maple <i>Acer platanoides</i>	Silver Maple <i>Acer saccharinum</i>	Tree of Heaven <i>Ailanthus altissima</i>
European Barberry <i>Berberis vulgaris</i>	Northern Catalpa <i>Catalpa speciosa</i>	Ash <i>Fraxinus spp.</i>	Common Privet <i>Ligustrum spp.</i>
Honeysuckle <i>Lonicera spp.</i>	Mulberry <i>Morus spp.</i>	Poplar <i>Populus spp.</i>	Callery Pear <i>Pyrus calleryana</i>
Buckthorn <i>Rhamnus spp.</i>	Willow <i>Salix spp.</i>	Elm <i>Ulmus spp.</i>	Russian-olive <i>Elaeagnus angustifolia</i>

Section 5.05 Installation and Maintenance

The following standards shall be observed where installation and maintenance of landscape materials are required:

A. Installation

Landscaping shall be installed in a sound, workmanlike manner to ensure the continued growth of healthy plant material. Trees, shrubs, hedges, and vines shall be generously mulched at the time of planting.

B. Installation of Perimeter Landscaping

Landscaping along the perimeter shall be installed prior to construction, except where such landscaping would be destroyed during construction.

C. Seeding or Sodding

Lots or parcels shall be seeded or sodded within ninety (90) days after occupancy.

D. Protection from Vehicles

Landscaping shall be protected from vehicles through use of curbs or wheel stops in parking lots. Except for stormwater management features such as bioswales, landscape areas shall be elevated above the pavement to a height that is adequate to protect the plants from snow removal, salt, and other hazards.

E. Off-Season Planting Requirements

If development is completed during the off-season when plants cannot be installed, the owner shall provide a performance guarantee to ensure installation of required landscaping in the next planting season, in accordance with Section 2.13.

F. Maintenance

Landscaping required by this Ordinance shall be maintained in a healthy, neat, and orderly appearance, free from refuse and debris. All unhealthy and dead plant material shall be replaced immediately upon notice from the Building Official, unless the season is not appropriate for planting, in which case such plant material shall be replaced at the beginning of the next planting season.

Trees, shrubs, and other plantings and lawn areas shall be watered regularly throughout the growing seasons.

All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, and so forth, shall be maintained in good condition and neat appearance. Rotted, deteriorated, or damaged landscape elements shall be repaired, replaced, or removed.

Section 5.06 Treatment of Existing Plant Material

The following regulations shall apply to existing plant material:

A. Consideration of Existing Elements in the Landscape Design

In instances where healthy plant material exists on a site prior to its development, the Planning Commission may permit substitution of such plant material in place of the requirements set forth previously in this Section, provided such substitution is in keeping with the spirit and intent of this Article and the Ordinance in general.

Existing hedges, berms, walls, or other landscape elements may be used to satisfy the requirements set forth previously, provided that such landscaping is in conformance with the requirements of this section.

B. Preservation of Existing Plant Material

Site plans shall show all existing trees that are located in the portions of the site that will be built upon or otherwise altered, and are five (5) inches or greater in diameter, measured 4.5 feet above grade.

Trees shall be labeled "To Be Removed" or "To Be Saved" on the site plan. If existing plant material is labeled "To Be Saved" on the site plan, protective measures should be implemented, such as the placement of fencing at the drip line around each tree. No vehicle or other construction equipment shall be parked or stored within the drip line of any tree or other plant material intended to be saved.

In the event that healthy plant materials which are intended to meet the requirements of the Ordinance are cut down, damaged or destroyed during construction, said plant material shall be replaced with the same species as the damaged or removed tree, in accordance with the following schedule, unless otherwise approved by the Planning Official based on consideration of the site and building configuration, available planting space, and similar considerations:

Damaged Tree Size (dbh)**	Replacement Tree Size	Replacement Ratio
Less than 6 inches	2½ to 3 inches caliper	Tree-for-tree
Greater than 6 inches	2½ to 3 inches caliper	One replacement tree for each six inches dbh (or fraction thereof) of damaged tree
** dbh = Diameter at Breast Height, measured 4.5 feet above grade.		

Section 5.07 Modifications to Landscape Requirements

In consideration of the overall design and impact of a specific landscape plan, and in consideration of the amount of existing plant material to be retained on the site, the Planning Commission may modify the specific requirements outlined herein, provided that any such adjustment is in keeping with the intent of this Article and Ordinance in general. In determining whether a modification is appropriate, the Planning Commission shall consider whether the following conditions exist:

- Topographic features or other unique features of the site create conditions such that strict application of the landscape regulations would result in a less effective screen than an alternative landscape design.
- Parking, vehicular circulation, or land use are such that required landscaping would not enhance the site or result in the desired screening effect.
- The public benefit intended by the landscape regulations could be better achieved with a plan that varies from the strict requirements of the Ordinance.



MEMO

**Charter Township of Comstock Planning Commission
March 12, 2026**

From: Khayci Bryant, Planner

Re: Planned Unit Development Revisions

Attachments:

[PUD_030226_REVISIONS.docx](#)

ARTICLE 18 - PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

Section 1801 - Purpose and Intent

The provisions of this Article are intended to offer an alternative to conventional development and traditional zoning standards and to permit flexibility in the development or redevelopment of areas through the authorization of Planned Unit Development (PUD) districts. The standards in this Article are intended to promote and encourage creativity and flexibility in the development or redevelopment of land that are suitable in size, location, and character for the uses proposed. It is also the intent of this Article to ensure compatibility with adjacent land uses, the South Haven Master Plan, and where applicable, existing natural features.

In certain instances, the application of the strict requirements of this Ordinance may result in developments less in the interest of public health, safety, and welfare than if some degree of flexibility were permitted. The purpose of a PUD, therefore, is to permit the development of planned areas for various compatible uses allowed by the zoning ordinance and for other uses not so provided. PUDs are also intended to enhance flexibility in building placement, height, bulk, and other standards in order to achieve a recognizable and commensurate benefit that furthers City Township goals and the public interest.

Section 1802 - Objectives and Qualifying Conditions

1. The degree to which the following objectives are satisfied shall be considered by the Planning Commission and ~~City Council~~ the Township Board in their review of a PUD in order to realize the advantages of coordinated, flexible, and comprehensive planning that are afforded through the use of Planned Unit Developments. The objectives of PUDs are:
 - A. To encourage the provision and protection of open spaces, cultural and/or historic resources, the development of recreational amenities, and, where necessary, other support facilities within a reasonable distance of dwelling units;
 - B. To encourage developers to use a more creative and imaginative approach in the development or redevelopment of property in the City Township;
 - C. To promote flexibility in design and to permit planned diversification in the location of structures;
 - D. To allow for market-driven development or redevelopment in places most conducive to accommodating additional activity;
 - E. To facilitate economic development through the permission of mixed uses and/or varied building types and forms;
 - F. To create walkable developments with pedestrian-oriented buildings that are well-integrated into the City Township and connect to nearby destinations and/or neighborhoods;
 - G. To provide for the adaptive re-use of significant or historic buildings;

- H. To allow phased construction with the knowledge that subsequent phases will be approved as originally planned and approved by the ~~City~~ **Township**.
 - I. To promote the efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land use, and utilities;
 - J. To minimize adverse traffic impacts and to accommodate safe and efficient pedestrian access and circulation;
 - K. To provide for the redevelopment of sites and/or buildings that are under-developed or have fallen into disrepair; and
 - L. To combine and coordinate architectural styles, building forms, and building relationships;
2. Qualifying Conditions.
- A. Ownership. The tract of land for which a PUD application is received must be either in 1 ownership or have written approval of the owners of all affected properties.
 - B. Minimum Acreage. The gross area of a tract of land to be developed as a residential PUD shall be a minimum of ~~2~~ **5** acres. There shall be no minimum area for non-residential and mixed-use PUDs.
 - C. Utilities. All PUDs shall be connected to public water and public sanitary sewer service, **where available**.
 - D. Master Plan. The applicant shall demonstrate that the proposed PUD is consistent with the adopted ~~City of South Haven~~ **Charter Township of Comstock** Master Plan.

Section 1803 - Legacy PUDs

Prior to the effective date of this Ordinance, numerous Planned Unit Developments were reviewed and approved in the ~~City of South Haven~~ **Charter Township of Comstock** under a prior Zoning Ordinance. Because these developments are fully constructed, the ~~City~~ **Township** has determined that it would be most efficient and beneficial to regulate them as follows. Accordingly:

- 1. Unless expressly identified as PUDs on the ~~South Haven~~ **Comstock Township** Zoning Map adopted on or after the effective date of this Ordinance, the PUDs that were approved prior to the effective date of this Ordinance shall be deemed "Legacy PUDs" and shall be regulated pursuant to this Section. A list of such Legacy PUDs is provided in Appendix A to this Ordinance.
- 2. Existing uses and structures within Legacy PUDs shall be considered to be permitted by right and shall not be considered nonconforming if the development, along with its individual components, remains in compliance with the approved PUD documents and any approved amendments thereto.
- 3. The approval of a Legacy PUD, including applicable findings of fact, site development plans, any conditions of approval, and related actions shall remain in full force and effect.
- 4. Amendments to a Legacy PUD shall be processed in accordance with the standards and procedures for site plan amendments pursuant to **Section 2007**. Any proposed modifications to the site or the existing use must be in compliance with the standards for the zoning district in which the Legacy PUD is located.

Any PUD (regardless of the date of its original approval) that is identified as a PUD on the ~~South Haven~~ **Comstock Township** Zoning Map adopted on or after the effective date of this Ordinance shall not be considered a Legacy PUD, shall continue to be governed by the terms of its applicable approval documents, and may be amended only as provided in Section 1814. A list PUDs that were approved prior to the effective date of this ordinance but remain in effect as PUDs is included in Appendix B to this Ordinance.

Section 1804 - Permitted Uses and Residential Density

1. The following uses may be permitted in a PUD:

- A. Uses permitted by right or by special land use in the underlying zoning district;
- B. Any use that is determined to be consistent with the ~~City~~ **Township** Master Plan;
- C. A combination of uses that are compatible with existing and adjacent land uses and the ~~City of South Haven~~ **Charter Township of Comstock** Master Plan;

Only those uses approved for the PUD shall thereafter be permitted within the PUD.

- 2. For PUDs containing a residential component but located in a non-residential district, the maximum number of dwelling units permitted in a PUD shall be determined by the Planning Commission in consideration of the Master Plan, existing and future surrounding land uses, the capacity of public utilities and services, and other applicable factors.
- 3. For PUDs containing a residential component and located in a residential zoning district, the permitted density shall not exceed that permitted by the underlying zoning district, unless a density bonus is permitted pursuant to subsection 5 below. If the PUD lies in more than one zone district, then the number of dwelling units shall be calculated on a proportionate basis.
- 4. The maximum density permitted by subsection 3 above shall be determined using a parallel plan. A parallel plan shall be submitted by the applicant and shall illustrate the maximum number of dwelling units that could be feasibly developed on the property under conventional application of the underlying zoning district requirements, including any requirements for off-street parking, internal streets, and stormwater management facilities. Parallel plans are intended for comparison only and do not require the same level of detail as is required for site plans submitted for development approval.
- 5. Density Bonus. For PUDs containing a residential component and located in a residential zoning district, a density bonus of up to 25% over what is allowed by the underlying zoning district may be granted at the discretion of the Planning Commission and ~~City Council~~ **Township Board** if the PUD provides substantive additional amenities, preserves substantive additional open space, or otherwise results in a substantial and recognizable benefit to the ~~City of South Haven~~ **Charter Township of Comstock**. By way of example, a "substantial and recognizable benefit" may consist of public gathering spaces, usable open space beyond the minimum requirements, non-motorized connections to adjacent properties, tree-lined streets, public amenities, public art, and similar features that are consistent with the existing or desired character of the ~~City of South Haven~~ **Charter Township of Comstock**.

Section 1805 - Non-Residential or Mixed-Use PUDs

1. All uses shall be integrated into the design of the project with similar architectural and site development elements, such as signs, landscaping, etc.
2. A mix of residential and non-residential uses may be permitted only if they will not materially alter the character of the neighborhood and/or the PUD, and if the mixed-use development is consistent with the ~~City of South Haven~~ **Charter Township of Comstock** Master Plan.
3. When a PUD contains a mix of residential and non-residential uses, buildings designed for non-residential uses shall be constructed according to the following requirements:
 - A. If the entire PUD contains fewer than 20 dwelling units, 75% of these units must be constructed prior to the establishment or occupancy of any non-residential use.
 - B. If the PUD contains more than 20 dwelling units, 50% of these units shall be constructed prior to the establishment or occupancy of any non-residential use.

Section 1806 - Design Standards

1. Deviations from Minimum Requirements. In approving a PUD, the ~~City~~ **Township** may permit deviations from the lot area and width requirements, parking requirements, required buffers, building setback requirements, height limitations, and other similar dimensional requirements of the zoning ordinance in accordance with the following standards:
 - A. The applicant shall identify, in writing, the nature and extent of any proposed deviation from the requirements of the underlying zoning district.
 - B. Deviations from minimum requirements may be permitted if they will result in a higher quality of development or better integration of the proposed use(s) within the vicinity.
 - C. Deviations from the minimum requirements shall also satisfy at least 1 of the following criteria:
 - 1) The proposed deviations shall preserve any ecologically significant natural features of the site;
 - 2) The proposed deviations shall create, maintain, or improve habitat for wildlife;
 - 3) The proposed deviations shall create, maintain, or improve open space, walkability, safety, or otherwise improve the quality of the development for its residents;
 - 4) The proposed deviations shall constitute an adaptive re-use or redevelopment of buildings and/or property; and/or
 - 5) The proposed deviations shall be necessary for the development or redevelopment of property that would not be feasible without the deviations.
 - 6) The proposed deviations shall be consistent with the South Haven Master Plan.
2. Other Requirements.
 - A. All electric, cable, internet, and telephone transmission wires within the PUD shall be placed underground.

- B. Signs are permitted in accordance with the zone district in which the proposed uses are permitted.
3. Conditions. The ~~City Council~~ **Township Board** may impose conditions with the approval of a PUD that are necessary to ensure compliance with the standards for approval stated in this Section and any other applicable standards contained in this Article. Such conditions shall be considered an integral part of the PUD approval and shall be enforceable by the Zoning Administrator.

Section 1807 - Open Space

The Planning Commission may require an applicant to provide open space if deemed necessary to preserve important natural features on the site. Situations in which the Planning Commission may require the applicant to provide open space include but are not limited to the following:

1. If the open space would provide, enhance, or restore natural resources such as slopes, wetland areas, viewsheds, etc.
2. If the open space would aid in the preservation or restoration of a cultural or historic site or structure
3. If the open space would allow for the development of community features, non-motorized trail connections, recreational amenities
4. If the open space would result in a more efficient pattern of development, consolidation, and planning of unusually dimensioned property or land with challenging topography,
5. If the open space would aid in the mitigation of adverse impacts on public facilities and services, such as a more efficient network of streets, public utilities, or a superior design of stormwater management systems.

If open space is required or provided in the PUD, it shall meet the following considerations and requirements:

1. Open space may be established to separate uses within the PUD.
2. Open space areas shall be large enough and of proper dimensions so as to constitute a contiguous useable area, with adequate access, through easements or other similar arrangements, such that all properties within the entire PUD may reasonably utilize the available open space and that the open space contributes significantly to the purpose and objectives of the PUD.
3. Evidence shall be given that satisfactory arrangements will be made for the maintenance of open space to relieve the ~~City~~ **Township** of the future maintenance thereof.
4. Open space may be provided where significant natural features may be preserved and/or be used for passive or active recreation.
5. All land set aside as open space shall be deed-restricted to ensure that the open space remains undeveloped in perpetuity. The form of such restriction shall be subject to the review and approval of the ~~City~~ **Township** Attorney.

6. All open space shall be in joint ownership of the property owners within the PUD or some other responsible entity approved by the ~~City~~ **Township**. Such joint ownership or entity shall take responsibility for the maintenance of the open space.
7. The maintenance requirements of dedicated open space may include regular clearing and mowing or other active maintenance. Maintenance shall also include the removal of any accumulation of trash or waste material within the dedicated open space, cleanup of storm damage, removal of diseased plant materials, and similar activities.

Section 1808 - General Application Procedures

1. The following steps, which are outlined in **Sections 1809-1813**, shall govern all applications for PUD approval, whether residential, non-residential, or mixed use:
 - A. Pre-application Conference. The applicant shall attend a pre-application conference with ~~City~~ **Township** staff to determine general compliance with PUD eligibility and design requirements, and to identify issues of significance regarding the proposed application.
 - B. Conceptual Planning Commission Review (~~Optional~~). A conceptual plan ~~may~~ **shall** be submitted to the Planning Commission for initial review. The applicant ~~may~~ **shall** also attend a pre-application review of the proposed PUD Plan with the Planning Commission.
 - C. PUD Preliminary Plan and PUD Rezoning.
 - 1) The Planning Commission shall review the PUD Preliminary Plan and PUD rezoning application, hold a public hearing (if required), and make a written recommendation to the ~~City Council~~ **Township Board**.
 - 2) The ~~City Council~~ **Township Board** shall review the PUD Preliminary Plan and PUD rezoning application, the written recommendation and findings from the Planning Commission, hold a public hearing, and make a final decision.
 - D. PUD Final Site Plan Review. The Planning Commission and other applicable ~~City~~ **Township** personnel shall review the PUD final site plan in accordance with Section 1813 of this Article.
2. Either concurrently with the PUD Preliminary Plan application, or upon approval by the ~~City Council~~ **Township Board** (with or without conditions), the applicant may apply for preliminary plat approval, condominium or site condominium approval, private road approval, and other approvals as applicable. Unless specifically stated, approval of a PUD shall not constitute approval of a preliminary plat, condominium, site condominium, or private road and shall not obviate the need for the applicant to obtain such approvals.
3. Approval of a PUD pursuant to this Article shall constitute an amendment to the ~~South Haven~~ **Comstock Township** Zoning Ordinance and Zoning Map to include the approved PUD.

Section 1809 - Pre-application Conference

Prior to the submission of an application for PUD, the applicant shall meet with the Zoning Administrator, ~~City~~ **Township** Planner, Engineer, and any other staff or consultants as deemed appropriate. The purpose of the pre-application meeting is to determine general compliance with PUD eligibility

and design requirements and to identify issues of significance regarding the proposed application. If the applicant proceeds with the PUD application, a summary of the pre-application meeting may be forwarded to the Planning Commission. No formal action shall be taken at the pre-application conference. The applicant shall present a sketch plan of the Planned Unit Development, and the following information:

1. A legal description of the property in question;
2. The total number of acres to be included in the project;
3. A statement of the approximate number of residential units and/or the approximate number, type, and square footage of non-residential units;
4. The approximate number of acres to be occupied and/or devoted to or by each type of use;
5. The number of acres to be preserved as open space or recreation space; and
6. All known natural resources and natural features on the site.

Section 1810 - Conceptual Planning Commission Review (Optional)

1. Following the pre-application conference, preliminary plans of the proposed PUD may, at the applicant's option, be submitted for review to the Planning Commission prior to submission of an application for a PUD. The purpose of the meeting is to allow discussion between an applicant and the Planning Commission and to inform the applicant of the acceptability of proposed plans prior to incurring extensive engineering and other costs which will be necessary for PUD review.
2. As part of the pre-application review, the applicant shall submit a copy of a sketch plan for the proposed PUD that shows the property location, boundaries, significant natural features, vehicular and pedestrian circulation, the proposed number and arrangement of lots or units with building envelopes, proposed open spaces, location of proposed buildings, and proposed land use(s) for the entire site.
3. The Planning Commission shall advise the applicant in general terms whether the proposed sketch plan complies with the purpose and intent of this Article and if it qualifies for PUD rezoning pursuant to the objectives and qualifying conditions of Section 1802.
4. Formal action shall not be taken at a preliminary Planning Commission review. Statements made at the pre-application conference or review by the Planning Commission shall not be considered binding commitments or an approval (implied or otherwise) of the PUD.

Section 1811 - Procedures for PUD Preliminary Plan and PUD Rezoning

1. Required Information. Following the conceptual review in Section 1810 (if conducted), the applicant shall submit a completed application form for PUD rezoning, the required application fee, and ~~2~~ **1** hard copy and a PDF of the PUD Preliminary Plan to the Zoning Administrator at least 45 days prior the next Planning Commission meeting.

The PUD Preliminary Plan shall be professionally prepared by a licensed engineer, surveyor, architect, and/or landscape architect and shall be drawn to a scale of not less than 1 inch =

100 feet. The PUD Preliminary Plan shall, at a minimum, contain the following information, unless specific items are determined to be not pertinent to the application by the Planning Commission or Zoning Administrator:

A. General Information.

- 1) Name and firm address of the professional individual responsible for preparing the preliminary plan and their professional seal.
- 2) Name and address of the property owner or petitioner.
- 3) Scale, north arrow, and date.
- 4) Acreage (gross and net).
- 5) Zoning of adjacent properties.
- 6) Legal property description.
- 7) Existing site conditions:
 - a. Boundary survey lines and setbacks.
 - b. Location sketch showing site, adjacent streets, and properties within 200 feet or as otherwise directed.
 - c. Location, width, and purpose of all existing easements and lease areas, including cross-access.
 - d. Abutting street right(s)-of-way and width.
 - e. Topography with contour intervals of no more than 2 feet.
 - f. Natural features such as wooded areas, surface water features, floodplains or floodways, wetlands, slopes exceeding 15%, lakes, rivers, creeks, county drains, and other significant site features, including the area of such features.
 - g. Existing buildings, structures, paved surfaces and areas, installed landscaping, and other significant physical infrastructure.
 - h. Size and location of existing utilities and status, where applicable.

8) Proposed Development:

- a. Layout of proposed buildings, structures, driveways, parking lots, streets, landscaped areas, and other physical infrastructure, as applicable, including the area and height of these improvements.
- b. Recreation areas, common use areas, dedicated open space, and areas to be conveyed for public use.
- c. Layout of sidewalks and/or pathways, both internal to the development and along the main road frontage.
- d. Layout and typical dimensions of building envelopes, proposed lots.
- e. Parking, stacking, and loading calculations, if applicable.

- f. Phasing plan, if applicable.
- g. Preliminary plan for the provision of public water and public sanitary sewer services.
- h. Preliminary grading plan.
- i. Preliminary stormwater plan.
- j. Proposed building types, including building elevations and footprints.

9) Additional Information:

- a. A written narrative shall be provided, which shall describe the proposed PUD, the proposed timeframe of development, the zoning district(s) in which it will be located, the overall residential density of the project (if applicable), and documentation indicating how the objectives and qualifying conditions in **Section 1802 and the standards of Section 1812** are met. By way of example, the written narrative may address the following, along with other topics deemed relevant:
 - i. How the proposed PUD is meeting a need in the marketplace
 - ii. How the proposed PUD will benefit the ~~City of South Haven~~ **Charter Township of Comstock**
 - iii. The overall vision for the property and the development
 - iv. Justification for any requested deviations from the underlying zoning district
- b. A written list of all requested deviations as specified in Section 1806(1) shall be provided at the time of the application but may be supplemented or modified at any time during the PUD approval process if the applicant or the ~~City~~ **Township** determines that the proposed plans require additional deviations beyond those originally noted.
- c. The Planning Commission may require additional information from the applicant and may allow supplementation or modification of submitted materials as needed to better assist in the determination of PUD qualification. Additional information may include, but is not limited to, market studies, fiscal impact analyses, parking studies, traffic impact studies, and environmental reports.

2. Planning Commission Review.

- 1) The Planning Commission shall review the PUD Preliminary Plan at a regular or special meeting. A public hearing shall be held by the Planning Commission for an application for a new PUD. For an amendment to an existing PUD, a public hearing by the Planning Commission ~~hearing~~ is not required, but may be held at the discretion of the ~~City~~ **Planning Commission**. If a public hearing is held, notice shall be given pursuant to **Section 2504** of this Ordinance.
- 2) The Planning Commission shall review the PUD Preliminary Plan in consideration of public comments, technical reviews from ~~City~~ **Township** staff and consultants (if requested), and other applicable standards and requirements. Within a reasonable timeframe, the Planning Commission shall recommend approval, approval with conditions, or denial of the PUD Preliminary Plan and PUD rezoning to the ~~City Council~~ **Township Board**. The Planning

Commission's recommendation shall be documented with findings to justify its recommendation.

- 3) In order to recommend approval of the PUD Preliminary Plan and PUD rezoning, the Planning Commission shall find that the standards of Section 1812 are satisfied.
3. ~~City Council~~ Township Board Review and Required Public Hearing.
 - 1) Following receipt of a recommendation from the Planning Commission on the PUD Preliminary Plan and PUD rezoning, the ~~City Council~~ Township Board shall hold a public hearing on the proposed PUD. Notice of the hearing shall be given pursuant to Section 2504 of this Ordinance.
 - 2) After the public hearing, the ~~City Council~~ Township Board shall review the application in consideration of the Planning Commission's written recommendation, public hearing comments, technical reviews from City Township staff and consultants, and other applicable standards and requirements. Within a reasonable time, the ~~City Council~~ Township Board shall approve, approve with conditions, or deny the PUD Preliminary Plan and PUD rezoning. The ~~City Council's~~ Township Board's decision shall be documented with written findings to justify its decision.
 - 3) In accordance with the Michigan Zoning Enabling Act, as amended, the ~~City Council~~ Township Board may place reasonable conditions on the approval of a PUD Preliminary Plan. Conditions attached to the approval shall be incorporated into the ordinance adopting the PUD Preliminary Plan and PUD rezoning.
 - 4) Approval of the PUD Preliminary Plan and PUD rezoning by the ~~City Council~~ Township Board shall be incorporated into an ordinance amending the zoning ordinance and map. Such rezoning and PUD plan approval shall become effective after notification and publication as required by the Michigan Zoning Enabling Act, as amended.
4. Development Agreements. Prior to the issuance of any building permits or commencement of construction on any portion of the PUD, the ~~City Council~~ Township Board may require the applicant to enter into a development agreement with the City in recordable form acceptable to the ~~City~~ Township Attorney, setting forth the applicant's obligations with respect to the PUD. The agreement shall describe all improvements to be constructed as part of the PUD and shall incorporate, by reference, the final PUD site plan with all required revisions, other documents which comprise the PUD, and all conditions of approval imposed by the ~~City Council~~ Township Board. The agreement shall also establish the remedies of the city in the event of default by the applicant in carrying out the PUD, and shall be binding on all successors in interest to the applicant. All documents shall be executed and recorded in the office of the ~~Van Buren County~~ Kalamazoo County Register of Deeds.

Section 1812 - PUD Preliminary Plan and Rezoning Standards for Approval

In order to approve a PUD Preliminary Plan and PUD rezoning, the Planning Commission and City Council shall find that all of the following standards are met:

1. The proposed PUD complies with the purpose, objectives, and qualifying conditions of Sections 1801 and 1802.
2. The uses conducted within the proposed PUD, the PUD's impact on the community, and other aspects of the PUD are consistent with, the policies of, the adopted ~~City of South Haven~~ Charter Township of Comstock Master Plan.

3. The proposed PUD shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property, the surrounding uses of land, the natural environment, and the capacity of public services and facilities affected by the development.
4. The proposed PUD shall not be hazardous to adjacent property or involve uses, activities, materials, or equipment that will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, or glare.
5. The proposed PUD shall not place demands on public services and facilities more than current or anticipated future capacity.
6. The proposed PUD shall satisfy all applicable local, state, and federal laws, rules, and regulations.

Section 1813 - PUD Final Site Plan

1. Either concurrently with the submission of the PUD Preliminary Plan, or within one year of the approval of the PUD Preliminary Plan and PUD rezoning by the ~~City Council~~ **Township Board**, a minimum of 1 copy and a PDF of the PUD final site plan for at least one phase of the PUD shall be submitted by the applicant in accordance with **Article 20** of this Ordinance. After the first phase is granted PUD final site plan approval, subsequent phases need not be submitted within one year.
2. All PUD final site plans subsequently submitted shall conform to the approved PUD Preliminary Plan (subject to minor revisions) and all conditions attached to its approval, the ordinance adopting the PUD Preliminary Plan and PUD rezoning, and the requirements of this Article.
3. If the PUD final site plan substantially conforms to the approved PUD Preliminary Plan subject to minor revisions and all conditions attached to its approval, the PUD adoption ordinance, and the requirements of this Article, and if such PUD final site plan is otherwise compatible with the master plan, then the Planning Commission shall approve the PUD final site plan.
4. Unless otherwise required by subsection 6 below, PUD final site plans shall be reviewed by the Planning Commission and any other applicable City personnel.
5. For land uses within the PUD subject to additional special land use requirements, such uses shall comply with all such required conditions, unless deviations were approved pursuant to this Article.
6. For land uses within the PUD that require special land use approval, or for PUOs that contain private roads, subdivisions, or elements that require Planning Commission approval, such uses shall be reviewed and approved in accordance with all other applicable sections of the Zoning Ordinance and other adopted ordinances of the ~~City of South Haven~~ **Charter Township of Comstock**. These review processes may occur concurrently with the process for PUD plan review and PUD rezoning.

Section 1814-Approved PUDs

1. Phased Projects. Where a project is proposed for construction in phases, the project shall be designed so that each phase, when completed, shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary

components to ensure the protection of natural resources and the health, safety, and welfare of the users of the PUD and residents of the ~~City~~ **Township**. Each phase of a PUD shall require the submittal of a site plan as outlined in Section 1813.

2. Amendments to an Approved PUD. An amendment to an approved PUD shall be reviewed and approved by the Planning Commission and ~~City Council~~ **Township Board** pursuant to Section 1811(2) & (3), except that the Zoning Administrator may review and approve minor amendments to the PUD, or refer minor amendments to the Planning Commission for a decision. Minor amendments include, but are not limited to, the following:
 - A. Reduction of the size of any building, building envelope, or sign.
 - B. Movement of buildings or signs in a way that does not alter the overall layout, density, or other significant characteristics of the PUD.
 - C. Changes requested by the ~~City~~ **Township** for safety reasons.
 - D. Changes that will preserve natural features of the land without changing the basic site layout.
 - E. Changes in the boundary lines of lots or condominium units that do not change the overall density of the development or that do not change the average lot or unit width throughout the development.
 - F. Modifications of the landscape plan or landscape materials, or replacement of plantings approved in the landscaping plan, provided that the amount of landscaping provided is not substantially decreased.
 - G. Alterations to the internal parking layout of a parking lot, provided that the total number of spaces or means of ingress and egress do not change in a manner that significantly alters the viability of the PUD.
 - H. Other changes proposed to be made to the configuration, design, layout, or topography of the site plan which are deemed by the Zoning Administrator to be not material or significant in relation to the entire site and which the Zoning Administrator determines would not have a significant adverse effect on the development on adjacent or nearby lands or the public health, safety, and welfare.
3. Expiration
 - A. A PUD (or at least the first phase of a PUD) shall be under meaningful construction of proposed improvements consistent with the approved PUD final site plan within 1 year after the date of approval of the PUD final site plan, which shall proceed diligently to completion.
 - B. Upon expiration of the time period for: (a) submitting a PUD final site plan as required by Section 1813 or; (b) commencing meaningful construction as required by subsection A above, all PUD approvals previously granted shall automatically become null and void and all rights of development based on any approved plan shall terminate.

- C. The ~~City Council~~ **Township Board** may approve extensions of up to 2 years at a time, if requested in writing by the applicant. In requesting an extension, the applicant shall provide the reason(s) it is requesting the proposed extension.
 - D. Upon expiration of a PUD Preliminary Plan or PUD final site plan, the Planning Commission may conduct a public hearing and make a recommendation to rezone the property to its original designation or another district as deemed appropriate.
 - E. If the Planning Commission does not rezone the property from PUD to another zoning district, the property shall remain in the PUD zoning district, but no development in furtherance of the expired PUD, or a new PUD, shall occur on the property. Approval of a PUD Preliminary Plan and PUD Final Site Plan shall be required pursuant to **Sections 1812 and 1813**, except that rezoning to PUD shall not be required.
- 4. Appeals and Variances. Because an approved PUD has been reviewed and approved by the Planning Commission and ~~City Council~~ **Township Board**, the Zoning Board of Appeals shall not have jurisdiction to consider variances from the requirements of this Article, nor may decisions related to a PUD be appealed to Zoning Board of Appeals.
 - 5. Performance Guarantees. The Planning Commission and/or ~~City Council~~ **Township Board** may require the applicant for PUD rezoning to furnish a performance guarantee pursuant to **Section 2505** of this Ordinance