

155.150 Article 7 Alternative Development Options

155.151 Condominium Development

(A) Intent

Pursuant to the authority conferred by Public Act 59 of 1978 (the Condominium Act), as amended, all expandable, conversion and site condominium developments shall be regulated by the provisions of this Zoning Code and approved by the Planning Commission.

(B) General Requirements

- (1) Each condominium lot shall be located within a zoning district that permits the proposed use.
- (2) Each condominium lot shall front on and have direct access to a public street approved by the City.
- (3) For the purposes of this Zoning Code, each condominium lot shall be considered equivalent to a single lot and shall comply with all regulations of the zoning district in which located, and the provisions of any other statutes, laws, ordinances, and/or regulations applicable to lots in subdivisions.
- (4) In the case of a site condominium containing single-family detached dwelling units, not more than one dwelling unit shall be located on a condominium lot, nor shall a dwelling unit be located on a condominium lot with any other principal structure or use. Required yards shall be measured from the boundaries of a condominium lot.
- (5) Site Plans for New Projects. Prior to recording of the Master Deed required by Section 72 of Public Act 59 of 1978, as amended, the condominium development shall undergo site plan review and approval pursuant to Section 155.286 of this Code. In addition, the City shall require appropriate engineering plan reviews prior to issuance of building permits and inspections and final approvals prior to the issuance of any Certifications of Occupancy.
- (6) Site Plans for Expandable or Convertible Projects. Prior to expansion or conversion of a condominium development to additional land, the new phase of the project shall undergo site plan review and approval pursuant to Section 155.286 of this Code.
- (7) Monuments Required. All condominium developments that consist in whole or in part of condominium units, which are building sites, shall be marked with monuments as provided in this subsection.
 - (i) All monuments used shall be made of solid iron or steel bars at least 1/2 inch in diameter and 36 inches long and completely encased in concrete at least 4 inches in diameter.
 - (ii) Monuments shall be located in the ground at all angles in the boundaries of the condominium developments. They shall be at the intersection lines of streets and at the intersection of the lines of streets with the boundaries of the condominium development and at the intersection of alleys with the boundaries of the condominium

development; at all points of curvature, points of tangency, points of compound curvature. Points of reverse curvature and angle points in the side lines of streets and alleys and at all angles of an intermediate traverse line. It is not intended nor required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the condominium development if the angle points can be readily re-established by reference to monuments along the sidelines of the streets.

- (iii) If the required location of a monument is in an inaccessible place, or where the locating of a monument would be clearly impracticable, it is sufficient to place a reference monument nearby and the precise location thereof be clearly indicated on the plans and referenced to the true point.
 - (iv) If a point required to be monumented is on a bedrock outcropping, a steel rod, at least 1/2 inch in diameter shall be drilled and grouted into solid rock to a depth of at least 8 inches.
 - (v) All required monuments shall be place flush with the ground where practicable.
 - (vi) All unit corners and the intersection of all limited common elements shall be monumented in the field by iron or steel bars or iron pipe at least 18 inches long and 1/2 inch in diameter, or other approved markers.
 - (vii) The City Council may waive the placing of any of the required monuments and markers for a reasonable time, not-to-exceed 1 year, on the condition that the proprietor deposits with the City cash or certified check, or irrevocable bank letter of credit to the City, whichever the proprietor selects. The Council shall establish the amount by resolution. Such cash, certified check, or irrevocable bank letter of credit shall be returned to the proprietor upon receipt of a certificate by a surveyor that the monuments and markers have been place as required within the time specified.
- (8) Compliance with Federal, State, and Local Law. All condominium developments shall comply with federal and state statutes and local ordinances.
 - (9) The Building Official or other official responsible for code enforcement may allow occupancy of the condominium development before all improvements required by this Ordinance are installed provided that cash, a certified check, or an irrevocable bank letter of credit is submitted. The cash, certified check, or irrevocable bank letter shall be sufficient in amount and type to provide for the installation of improvements before the expiration of the Temporary Occupancy Permit without expense to the City.
- (C) **Initial Information.** Concurrently with notice required to be given the City of Inkster pursuant to Section 71 of Public Act 59 of 1978, as amended (the Condominium Act), a person, firm or corporation intending to develop a condominium development shall provide the following information:

- (1) The name, address, and telephone number of:
 - (a) All persons, firms or corporations with an ownership interest in the land on which the condominium development will be located together with a description of the nature of each entity’s interest (for example, fee owner, optionee, or land contract vendee).
 - (b) All engineers, attorneys, architects or registered land surveyors associated with the project.
 - (c) The developer or proprietor of the condominium development.
 - (2) The legal description of the land on which the condominium development will be developed together with appropriate tax identification numbers.
 - (3) The acreage content of the land on which the condominium development will be developed.
 - (4) The purpose of the development and type of development.
 - (5) Approximate number of condominium units to be developed on the subject parcel.
- (D) **Single-Family Detached Condominiums.** A One-Family detached condominium project shall be subject to all requirements and standards of the applicable R1-A through R1-C, One-family Residential Districts and the following site plan approval requirements.
- (1) **Site Plan Review Requirements.** A preliminary site plan pursuant to the standards and procedures set forth in Section 155.286 Site Plan Review of this Zoning Code shall be submitted to the Planning Commission for review and action. Approval of the site plan and condominium documents, landscape and engineering plans by the Planning Commission shall be required as a condition to construct, expand or convert a site condominium project. No permits for erosion control, building construction, grading, or installation of public water or sanitary sewerage facilities shall be issued for property in a site condominium development until approval of the site plan, condominium documents and engineering plans has been granted by the Planning Commission. Preliminary site plan approval shall be granted prior to review of condominium documents, landscape and engineering plans.
 - (2) The design of a single-family detached condominium project shall be subject to the design layout and engineering standards, as provided below, except as otherwise provided by this Code:
 - (3) Road rights-of-way shall be described separately from individual condominium lots, and shall be accurately delineated by bearings and distances on the preliminary and final site plan. The right-of-way shall be for roadway purposes and for the purposes of locating, installing, maintaining, and replacing of public utilities. The developer shall declare easements to the City for public water and sanitary sewer lines and appurtenances.
 - (4) Location Arrangement and Design of Street:

- (a) The street layout shall provide for the continuation of collector streets in the adjoining subdivisions or of the proper projection of streets when adjoining property is not subdivided; or conform to a plan for a neighborhood unit drawn up and adopted by the Planning Commission.
 - (b) The street layout shall include minor streets so laid out that their use by through traffic shall be discouraged.
 - (c) Should a proposed development border on or contain an existing or proposed major thoroughfare, the Planning Commission may require marginal access streets, reverse frontage, or such other treatment a may be necessary for adequate protection of residential properties and to afford separation and reduction of traffic hazards.
 - (d) Should a proposed development border on or contain a railroad, expressway, or other limited access highway right-of-way, the Planning Commission may require the location of a street approximately parallel to and on each side of such right-of-way. Should this be required, the street shall be at a distance suitable for the development of an appropriate use of the intervening land, such as for parks, in residential districts. Such distances shall be determined with due consideration of the minimum distance required for approach grades to future grade separation.
 - (e) The minimum street grade shall not be less than 0.5%. The maximum street grade shall be 5.0%, except that the Planning Commission may modify this standard on the recommendation of the City Engineer.
 - (f) Streets shall be laid out so as to intersect as nearly as possible to 90 degrees.
 - (g) Street jogs with centerline offsets of less than 125 feet shall be avoided.
 - (h) Sight distances on horizontal or vertical curves and at intersecting roads shall be a minimum of 200 feet. Sight distance for intersecting streets shall be measured 10 feet from the edge of the traveled portion of the road and from an eye height of 3.5 feet to an object height of 3.5 feet.
 - (i) All types of streets must have a right-of-way width of 60 feet and a pavement width of at least 24 feet.
 - (j) Cul-de-sacs must have a right-of-way radius of 60 feet and a pavement width of 45 feet.
 - (k) The maximum length for residential cul-de-sac streets shall generally be 500 feet; however, the Planning Commission may approve a distance of up to 1,000 feet.
 - (l) All pavements shall be asphalt or concrete pavement with concrete curb and gutter on each side in accordance with the standards prescribed by the City Engineer.
- (5) Blocks:

- (a) Blocks shall not exceed 1,000 feet in length, except at the discretion of the Planning Commission, conditions may justify a greater distance. Blocks shall be in a grid or modified grid pattern and connected to the abutting street system following principles of good street design.
 - (b) Width of blocks shall be determined by the condition of the layout and shall be suited to the intended layout.
- (6) Natural Features and character of land must be preserved wherever possible. Due regard must be shown for all natural features such as large trees, natural groves, water courses, and similar community assets that will add attractiveness and value to the property, if preserved. The preservation of drainage and natural stream channels must be considered by the proprietor and the dedication and provision of adequate barriers, where appropriate, shall be required.
- (7) Walkways shall be installed in all single-family detached condominium developments. Such walkways shall be a minimum of 5 feet in width and shall be constructed of concrete 4 inches thick. In addition, walkways shall be located on both sides of all interior roadways and so located as to provide access to all general common areas. Upon review of the site plan, the Planning Commission may approve alternative locations for the walkways or may waive the walkway requirement if it would not serve the purpose of providing adequate pedestrian circulation.
- (8) Architectural character
 - (a) Residential Standards
 - (i) Architectural features, as required in section 155.072 shall be complied with.
 - (ii) Attached townhome units shall meet the requirements of Section 155.121 Townhomes and Duplexes, as determined by the Planning Commission, upon recommendation of the City Planner.
 - (iii) Front doors with porches are required. Porches shall be minimally 6 feet in depth.
 - (iv) The front façade shall be composed of at least 75% brick or decorative masonry. Decorative masonry cannot extend above the first floor elevation.
 - (b) Non-residential Standards
 - (i) Architectural features, as required in Section 155.121 and Section 155.110 Article 6 Special Conditions and Land Use Standards shall be complied with.
 - (ii) Entry doors shall be located on at least one public street.
 - (iii) The primary street façade shall be designed and constructed with at least 60% transparent glass.
- (9) Utilities

- (a) An adequate storm drainage system including necessary storm sewers, catch basins, manholes, culverts, bridges, and other appurtenances shall be required in all developments.
- (b) A public sanitary sewer system shall be required.
- (c) A public water supply system shall be required.
- (d) The Proprietor shall make arrangements for all lines for telephone, electric, television, and other similar services distributed by the wire or cable to be placed underground entirely throughout the development area. Such conduits or cables shall be placed within private easements provided to such service companies by the developer or within dedicated public ways, provided only that overhead lines may be permitted upon written recommendation of the City Engineer and the approval of the Planning Commission at the time of site plan approval where it is determined that overhead lines will not constitute a detriment to the health, safety, general welfare, design, and character of the development. All such facilities placed in dedicated public ways shall be planned so as not to conflict with other underground utilities. All such facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission. All drainage and underground utility installations that traverse privately held property shall be protected by easements granted by the proprietor.

(E) Review of Condominium Documents and Engineering and Landscape Plans

- (1) Following preliminary site plan approval, the applicant shall submit condominium documents to the City for the review by the City Attorney and other appropriate staff. The City shall review the condominium documents with respect to all matters subject to regulation.
- (2) Following preliminary site plan approval, the applicant shall submit landscape and engineering plans in sufficient detail for the City to determine compliance with applicable laws, ordinances and design standards for construction of the project.
- (3) Upon completion of the review of the condominium documents and engineering plans and receipt of the recommendations and findings from the applicable department, the engineering plan and associated documents shall be submitted to the Planning Commission for final review and action.
- (4) If the condominium documents and engineering plans conform in all respects to applicable laws, ordinances and design standards, the Planning Commission shall grant preliminary development approval.

(F) Site Plans for Expandable or Convertible Projects

Prior to expansion or conversion of a condominium development to additional land, the new phase of the project shall undergo site plan review and approval pursuant to Section 155.286 Site Plan Review.

- (1) The Planning Commission shall deny preliminary approval, if the condominium documents and engineering plans fail to conform to standards.
 - (2) Performance Guarantee. The Planning Commission, as a condition of preliminary approval of the site plan, shall require the applicant to deposit a performance guarantee as set forth in Section 155.293 Performance Guarantee of this Zoning Code for the completion of improvements associated with the proposed use.
 - (3) Information Required Prior to Occupancy. Prior to the issuance of occupancy permits for any condominium units, the applicant shall submit the following to the Community Development Department:
 - (a) A copy of the recorded condominium documents including, but not limited to, the Master Deed and all exhibits.
 - (b) A copy of any recorded restrictive covenants.
 - (c) A copy of the final site plan on Mylar sheets in 11" X 17" and 24" X 36" formats at standard engineering scales and acceptable to the City.
 - (d) Evidence of completion of improvements associated with the proposed use including two copies of an "as-built survey".
- (G) **Revision of Site Condominium Plan**
 Revision to preliminary site plan shall be submitted for review and approval by the Planning Commission before any building permit may be issued.
- (1) Amendment of Condominium Documents. Amendment to a master deed or bylaws that affects the approved site plan, or any conditions of approval of a site plan, shall be reviewed and approved by the City Attorney and Planning Commission before any building permit may be issued. The Planning Commission may require its review of an amended site plan if, in its opinion, such changes in the master deed or bylaws require changes in the site plan.
 - (2) Relocation of Boundaries. Relocation of boundaries between adjoining condominium units, if permitted in the condominium documents and provided for in Public Act 59 of 1978 (the condominium act,) as amended shall comply with all regulations of the zoning district in which located and shall be approved by the Building Department. These requirements shall be made a part of the bylaws and recorded as part of the master deed.
 - (3) Subdivision of Condominium Lot. Each condominium lot that results from a subdivision of another condominium lot, if such subdivision is permitted by the condominium documents and provided for in Public Act 59 of 1978 (the condominium act,) as amended, shall comply with all regulations of the zoning district in which located, and shall be approved by the Building Department. These requirements shall be made a part of the recorded condominium documents.

155.152 Planned Unit Development

- (A) **Intent**

Planned Unit Development (PUD) regulations are intended to provide for various types of land uses planned in a manner which shall foster the use and design of land in accordance with scale and character of the contextual environment; encourage innovation in land use planning; provide enhanced housing, employment, shopping, traffic circulation and recreation opportunities; and, foster crime prevention methods. The provisions of this Article provide enabling authority and standards for the submission, review, and approval of applications for planned unit developments.

(B) PUD Regulations

- (1) A PUD may be applied for in all districts. The grant of a planned unit development application shall require a special land use designation subject to the recommendation of the Planning Commission and approval of City Council.
- (2) Any land use authorized in R-1A, R-1B, R-1C, RM, RM-1, B-1, B-2 and O-1 is permitted as a special land use, subject to design and development standards within this zoning code, other applicable codes and regulations, and adequate public health, safety, and welfare features to ensure the compatibility of varied land uses both within and outside the development.
- (3) A PUD application must meet the following criteria as a condition to being entitled to PUD treatment:
 - (a) A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the PUD regulations; or
 - (b) A non-conforming use shall, to a material extent, be rendered more conforming, or less offensive, to the zoning district in which it is situated.
 - (c) The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, streets and utilities.
 - (d) The proposed development shall be contributed to the public health, safety and welfare of the City.
 - (e) The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.
 - (f) The standards set forth in this article are met.
 - (g) The standards set forth in Section 155.287 Standards for Site Plan Approval and Section 155.289 Standards for Special Condition Use Approval are met.
 - (h) All applicable codes, ordinances and regulations are met.
 - (i) The proposed development shall be consistent with the Goals and Policies of the City's Master Plan.

(C) Procedure for Review and Action

- (1) Pre-application Conference: Prior to the submission of an application for PUD approval, the applicant shall meet with the City Planner, together with any staff and consultants the Director deems appropriate. The applicant shall present at such conference, or conferences, a sketch plan of the proposed development and a data summary sheet with the following information:
 - (a) Total number of acres in the project;
 - (b) Number and type of residential units;
 - (c) Number and type of nonresidential uses;
 - (d) Number of acres to be occupied by each type of use;
 - (e) Known deviations from ordinance regulations;
 - (f) Number of acres to be preserved as usable open and recreation space; and,
 - (g) Number of acres to be preserved as wetlands or other natural features.

- (2) Preliminary Plan.

Following the pre-application conference, the applicant shall submit a preliminary site plan prepared in accordance with the standards set forth in this Article and Section 155.287 Standards for Site Plan Approval and 155.289 Standards for Special Condition Use Approval. In addition, a narrative report shall be prepared by the applicant that describes the physical and functional components of the project, discuss the market concept and feasibility of the project, and explain the manner in which the criteria set forth have been met.

 - (a) Planning Commission Action. The preliminary plan shall be noticed for public hearing as a special land use before the Planning Commission. Following the hearing, the Commission shall review the preliminary site plan and supporting narrative report and shall take one of the following actions:
 - (i) Approval: Upon finding that the preliminary plan meets the standards set forth in this Article and Section 155.287 Standards for Site Plan Approval and 155.289 Standards for Special Condition Use Approval, the Planning Commission shall grant preliminary approval. Approval shall constitute approval of the uses and design concept as shown on the preliminary plan and shall confer upon the applicant the right to proceed to preparation of the final plan.

Approval of the preliminary plan by the Planning Commission shall not bind City Council to approve the final plan.
 - (ii) Tabling. Upon finding that the preliminary plan does not meet the standards set forth in this Article and Section 155.287 Standards for Site Plan Approval and 155.289 Standards for Special Condition Use Approval, but could

meet such criteria if revised, the Planning Commission may delay action until a revised preliminary plan is resubmitted.

- (iii) Denial: Upon finding that the preliminary plan does not meet the criteria and standards set forth in this Article and Section 155.287 Standards for Site Plan Approval and 155.289 Standards for Special Condition Use Approval the Planning Commission shall deny preliminary approval.
- (3) Final Plan. Within 6 months following receipt of the Planning Commission approval of the preliminary plan, the applicant shall submit a final plan and supporting materials conforming to this Article and Section 155.286 Site Plan Review. If a final plan is not submitted by the applicant for final approval within 6 months following receipt of Planning Commission comments, the preliminary plan approval becomes null and void.
- (a) Information Required. A final site plan and application for a PUD shall contain the following information:
 - (i) A site plan meeting all requirements of The Zoning Code.
 - (ii) A specification of all deviations from this Code, which would otherwise be applicable to the uses and development, proposed in the absence of the application of this PUD article.
 - (iii) A specific schedule of the intended development and construction details, including phasing or timing.
 - (iv) A specific schedule of the general improvements to constitute a part of the development, including, without limitation, lighting, signage, methods to reduce noise, utilities, and visual screening features.
 - (v) A specification of the exterior building and landscape materials with respect to the structures proposed in the project.
 - (vi) Signatures of all parties having an interest in the property.
 - (b) Planning Commission Action. The final plan shall be noticed for public hearing as a special land use before the Planning Commission, and acted upon by the Planning Commission and City Council.
 - (i) Approval. Upon finding that the final plan meets the criteria and standards set forth in this Section the Planning Commission shall recommend approval to the City Council.
 - (ii) Tabling. Upon finding that the final plan does not meet the criteria and standards set forth in this Section but could meet such criteria if revised, the Planning Commission may delay action until a revised final plan is resubmitted.
 - (iii) Denial. Upon finding that the final plan does not meet the criteria and standards set forth in this Section, the Planning Commission shall recommend denial to the City Council.

- (iv) The Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the proposed project including recommendations with respect to matters on which the City Council must exercise discretion.
 - (c) City Council Action. Upon receiving a recommendation from the Planning Commission, City Council shall review the final plan. Taking into consideration the recommendations of the Planning Commission and the criteria and standards set forth in this Section, the City Council shall approve, table or deny the final plan.

Prior to approval of a final plan, City Council shall require all final plans, supporting documents, standards and conditions of approval to be incorporated in a development agreement. The agreement shall be prepared by the City Attorney, approved by the City Council, and signed by both the City and the applicant.
- (D) Project Design Standards**
- (1) General Design Standards
 - (a) Design and development standards set forth in this Code provide a base for design dimensions. Deviations may be granted as part of the overall approval of the PUD, provided there are features or elements demonstrated by the applicant and deemed adequate by the City Council upon the recommendation of the Planning Commission designed into the project plan for the purpose of achieving the objectives of this Section.
 - (b) There shall be a perimeter setback and berming, as found to be necessary by the City, for the purpose of buffering the development in relation to surrounding properties. Such perimeter setback shall be established at the discretion of the City Council, taking into consideration the use or uses in and adjacent to the development. The setback distance need not be uniform at all points on the perimeter of the development.
 - (c) Thoroughfare, drainage, and utility design shall meet or exceed the standards otherwise applicable in connection with each of the respective types of uses served.
 - (d) There shall be underground installation of utilities, including electricity and telephone, as found necessary by the City.
 - (e) Pedestrian sidewalks (5' in width) shall be provided along all public and private streets and separated from vehicular circulation by a landscape strip and street trees.
 - (f) Signage, lighting, landscaping, building materials for the exterior of all structures, and other features of the project, shall be designed and completed with the objective of achieving an integrated and controlled development, consistent with the character of the community, surrounding development or developments, and natural features of the area.

- (g) Where non-residential uses adjoin off-site residentially zoned property, noise reduction and visual screening such as landscape berms or strips or decorative walls shall be employed.

(2) **Residential Standards**

- (a) Dwelling density shall be based on the underlying base zoning district. Additional density for residential uses is permitted, subject to a recommendation by the Planning Commission and approval by the City Council. Such increase shall be based upon review of the standards of this Section.
- (b) Consistency with the Master Plan;
- (c) Relationship to adjacent land uses;
- (d) Meet the following design standards;
 - (i) Attached townhome units shall meet the requirements of Section 155.121 Townhouses and Duplexes, as determined by the Planning Commission, upon recommendation of the City Planner.
 - (ii) Buildings shall be built at the same setback as exiting structures on the same block or adjacent to the proposed development.
 - (iii) Interior front build-to lines can be reduced to 18' of right-of-way line or sidewalk on private streets or ways.
 - (iv) Front doors with porches are required. Porches shall be minimally 6 feet in depth.
 - (v) The front façade shall be composed of at least 75% brick or decorative masonry. Decorative masonry cannot extend above the first floor elevation.
 - (vi) Public and private spaces separation and definition by walls, decorative fencing or landscaping is encouraged.
- (e) Pedestrian and/or vehicular safety provisions.
- (f) Off-street parking in front yards is not permitted.
- (g) Blocks shall have a maximum acreage of 5 acres as delineated by public rights-of-way or sidewalks. Blocks shall be in a grid or modified grid pattern and connected to the abutting street system following principles of good street design.
- (h) A minimum of 10% of the gross floor area of dwelling units shall be set aside as usable recreation and open space. Dwelling units shall front such space.
- (i) Provisions for the users of the project.

(3) **Non-Residential Standards**

- (a) Non-residential uses may be permitted in combination with other non-residential uses or as part of a common development with residential uses.

- (b) The non-residential uses, including parking and vehicular traffic ways, shall be separated and buffered from residential units in a manner consistent with good land and community planning principles.
- (c) Entry doors shall be located on at least one public street.
- (d) Public sidewalks shall be at least 10 feet in width on the entry door side of the building.
- (e) The primary street façade shall be designed and constructed with at 60% transparent glass.
- (f) Off-street parking in the front yard is not permitted
- (g) The City Council upon the recommendation of the Planning Commission shall resolve all ambiguities as to applicable regulations using the Zoning Ordinance, Plan, and other City standards or policies as a guide.

(E) Conditions

Reasonable conditions may be required with the approval of a PUD, to the extent authorized by law, for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner.

(F) Construction and Phasing

- (1) Phasing. Each phase of construction, when proposed, shall be capable of standing on its own for pedestrian and vehicular circulation, off-street parking, public services, utilities, facilities, and recreation space. Each phase shall contain the necessary components to ensure protection of the health, safety, and welfare of the residents and users of the PUD and surrounding area. In addition, in developments which include residential and non-residential uses, the relative mix of uses and the scheduled completion of construction for each phase shall be disclosed and determined to be reasonable in the discretion of the City Council after recommendation from the Planning Commission.
- (2) Construction. To ensure completion of required improvements, the City is authorized to impose performance guarantees in accordance with Section 155.293 Performance Guarantee. Construction shall be commenced within 1 year following final approval and shall proceed in conformance with the schedule set forth by the applicant as part of the application package. If construction is not commenced within such time, approval shall expire and be null and void. However, an extension for a specified period may be granted by City Council upon good cause shown if such request is made to City Council prior to the expiration of the initial period. If approval has expired, City Council shall require a new application, which may be reviewed in regard to existing code and ordinance provisions.

(G) Effect of Approval

When approved, the PUD, with all conditions imposed, shall constitute the land use authorization for the property, and all improvement and use shall be in conformity with such authorization. Notice of adoption of the final PUD plan and conditions shall be recorded by the applicant at the Wayne County Register of Deeds.

155.153 Lot Averaging for One-Family Developments

The intent of this section is to permit the subdivider or developer to vary his lot sizes and lot widths so as to average the minimum size of lot per unit. If this option is selected, the following conditions shall be met:

- (A) In meeting the average minimum lot size, the subdivision shall be so designed as to create lots having an area or width required in the One-Family Residential District in Section 155.060 Article 4 Schedule of Regulations and shall not create an attendant increase in the number or lots.
- (B) The technique of averaging minimum size shall be acceptable only in those instances wherein the entire preliminary plat which has received City Council approval is carried through a final plat and is then recorded in its totality. Recording of portions of a preliminary plat shall not be acceptable under this option.
- (C) All computations showing lot area and the average area resulting through this technique shall be indicated on the print of the preliminary plat.

155.154 – 155.159 Reserved