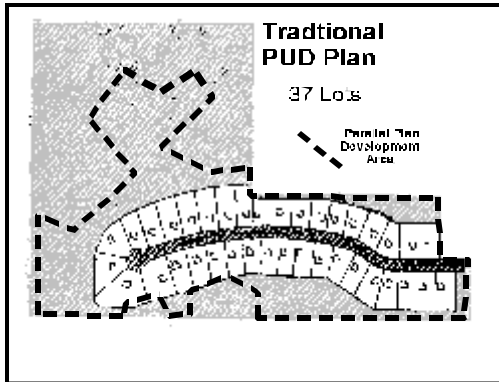


Principles of Open Space Development



Going from “Cluster” to “Open Space” Development

The principle of “cluster development” was devised in the mid-to-late 1970s as a means to make housing more affordable during a time of high interest rates that placed some people out of the market for a new home. Clustering units allowed for less street length and shorter utility lines, which lowered development costs. Over time, however, as economic conditions improved and more people had access to a wide variety of housing, the concept moved away from “cluster” to “open space” development. This style of development placed less emphasis on affordable housing and more on the preservation of open spaces and enhancement of neighborhoods. Open space development offered an alternative to the traditional subdivision look and introduced the use of open space as a design element.



The view driving down the street will simply be that of manicured lawns, cars in driveways, and homes neatly lined up side by side.

Even though more land developers were becoming aware of the need to preserve open space, some of the design elements that make neighborhoods livable places were being left behind. In many projects a large percentage of the site was preserved as open space, but many residents were unable to take advantage of those open spaces and found themselves instead in a traditional subdivision row of houses lining the street. As an example, the “Traditional PUD Plan” shown here provides almost no access or even views of those open spaces for most of the lots. As a result, the Open Space Development concept has been less attractive to home buyers seeking a rural environment.



The Open Space Preservation Act

In 2001, the Michigan legislature passed legislation mandating that townships provide zoning regulations related to “open space preservation.” The provisions of the law do not apply to communities that had open space provisions in their ordinances prior to October 1, 2001. However, the regulations must have been used by at least one residential project that permanently preserved *at least* 50 percent of the land within the development.

The provisions apply to “qualified” townships. To be “qualified” the Township must have a zoning ordinance, a population of 1,800 or more, and have residentially zoned land with a minimum lot size of one-half acre (2 units per acre) without public sewer, or 14,520 square feet (3 units per acre) with public sewer.

The open space provisions are to be provided as an “option” to the land owner. Regulations added to the ordinance by the Township must provide a minimum of 50 percent open space and require that the open space be permanently protected from development by some legal means that assures its preservation. Two other provisions require that the development not be dependent on an extension of either public water or public sewer systems (unless those systems would otherwise be required even without the open space option), and that the affected land had not already been developed under an open space provision. The open space preservation provisions do not override any applicable ordinances or laws related to groundwater protection or approval of sanitary sewer disposal systems where public systems are unavailable.

The act broadly defines open space (“undeveloped state”) with a golf course as the only specific exclusion from consideration as open space. The local ordinance may provide additional open space considerations.

What is Open Space Development?

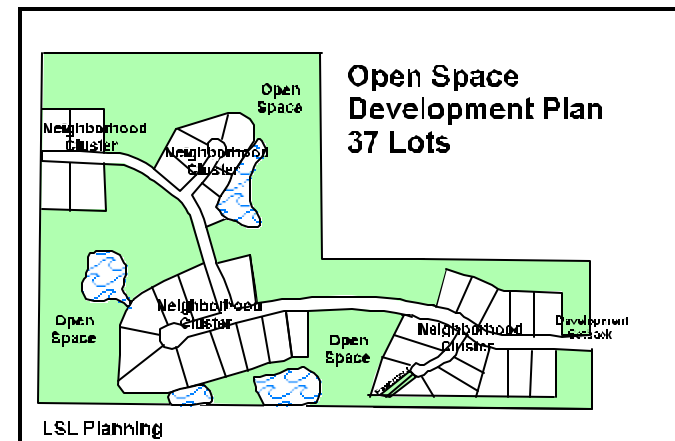
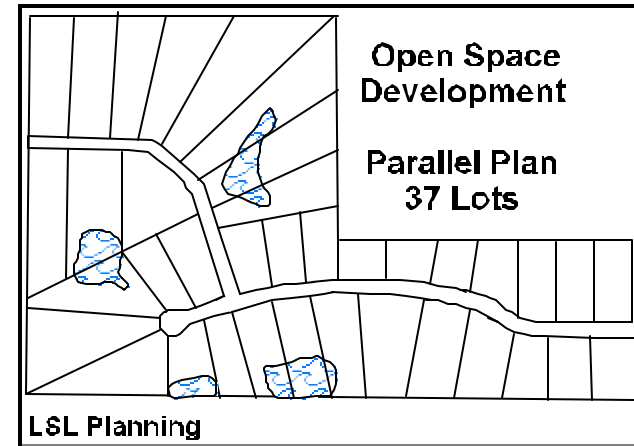
The underlying principle of Open Space Development is that it allows the same overall amount of development that is permitted under existing zoning, but concentrates development inside pockets of land so that the remainder can be preserved as usable open space. Open space regulations are relatively easy to administer, allow rural landowners to realize the full development potential of their property, and permanently protect substantial natural open spaces.

At the same time, Open Space Development allows the preservation of open space without large public expenditures (to purchase development rights), and allows communities to recognize and preserve sensitive natural areas without adopting overly restrictive land use regulations.

Sites lacking significant natural elements, such as flat farm fields, offer a more challenging design problem. It is difficult to apply many of the open space principles to large open areas, uninterrupted by trees or topography. Emphasis on these sites should be on creating neighborhood clusters, separated by open spaces, and in ensuring that the open spaces are sufficiently large and in a useable shape.

Development Density

The allowed density of an Open Space Development is based on the existing residential district. However, rather than computing density simply on the basis of a mathematical formula, the applicant may be required to submit a "parallel plan" which provides the Township with a



feasible development plan showing the number of homes that could reasonably be placed on the site using conventional development regulations.

To properly implement Open Space Development regulations, it is necessary to require applicants to submit detailed information regarding the presence of natural features, topographic conditions, and other site characteristics that might affect the layout of the development. Significant views may also be highlighted that might contribute to the character of the development. The additional requirements placed on applicants and the desire for more creative design can increase development costs of individual projects. Accordingly, offering bonus densities for more creative layouts would be an appropriate response.

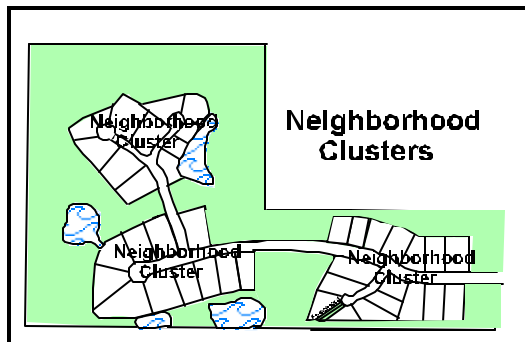
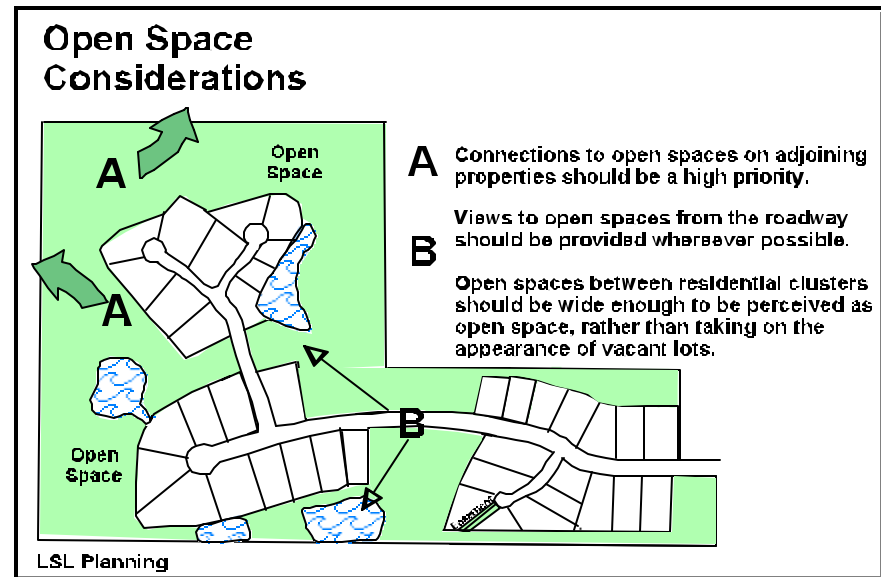
Some of the following principles will be more applicable to sites that have significant areas of natural features or other areas worthy of preservation. Other principles will apply more directly to properties with large open spaces, such as fields that were cleared for farming.

PRINCIPLES OF OPEN SPACE DEVELOPMENT

- The intent of Open Space Development regulations is to allow flexibility in layout to avoid affecting wildlife habitat areas or scenic features of the rural landscape, such as large rock formations, wetlands, hill crests, and mature tree-stands. Adequate open space protection, through deed restrictions, donation to land conservancies, or other permanent preservation measures must be provided to the Township.
- Open space should be provided where significant natural features may be preserved, active agricultural land maintained, or be used for passive or active recreation. Having connected open space “corridors” can provide routes of travel for wildlife and help ensure their survival.
- Septic systems or water systems could be located outside individual lot areas, if approved by the County Health

Department, through easements within protected open space. Community water and sewer systems serving all or part of the development may be encouraged through the use of bonus density provisions.

- Open space should generally be accessible from as many places within the development as possible, rather than limited to individual easements between development lots. To this end, providing open space segments along the internal roadways should be a high priority. Such areas should be large enough to appear as open space, rather than a vacant lot for future development, and kept in their natural state. They may, however, incorporate trails or other internal pedestrian circulation paths.
- The Open Space Development should be designed with due regard for views from roadways as well as lots within the development.
- The location of open space around the perimeter of the development should also consider adjoining properties. If other Open Space Developments have been approved on adjacent properties, linking open spaces between the two can create areas large enough to support wildlife and enhance the other benefits of open space.



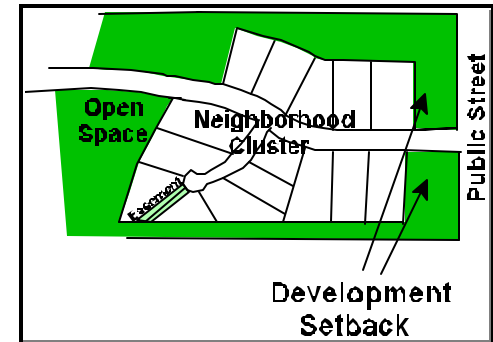
- Lots should be clustered in small groups (from 5 to 10 lots in smaller developments, to as many as 15-20 in larger developments), with open space between clusters. Emphasis should be on the creation of smaller, more cohesive neighborhoods, as opposed to long linear stretches of homes. Creating these small clusters helps promote a sense of community. Larger expanses of open space should be used to separate the neighborhoods.

- Where possible, substantial setbacks from adjacent development should be provided, except where internal roadways are designed to connect to adjacent properties for the purposes of providing a network of internal connections between properties.



Highly artificial landscaped entries can detract from the rural character of the area.

- A development setback could be included in the design that provides a substantial open space area between existing access roadways and the building sites within the project. The development setback area should remain in as natural a state as possible, with only the street and necessary utilities requiring land disturbance. Alternatively, screening through landscaping could be used to accomplish the same objectives.



- Entryways to open space developments may also have a significant effect on the character of the project as well as the general area. Elaborate, artificial, landscapes designed as entry points, with large boulevards, flagpoles, and other artificial elements can detract from the rural, natural character of the



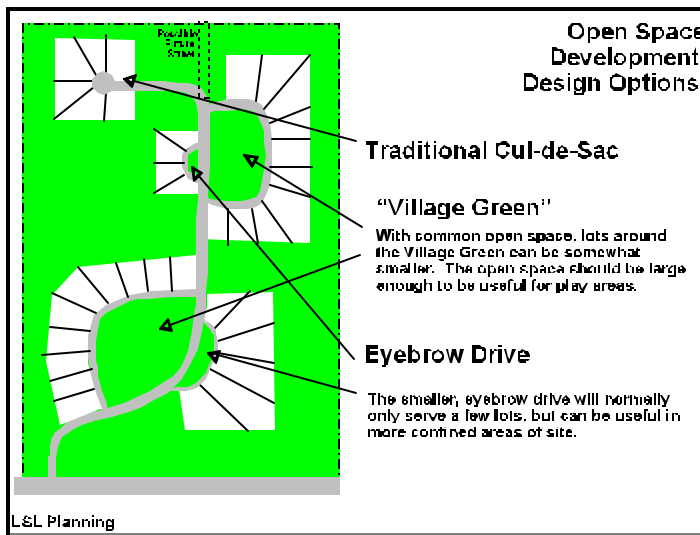
area.

- If a sign is included in the development plan, it should be unobtrusive and constructed as part of the overall landscape. Plastic, internally lighted signs should be avoided.

Design Options

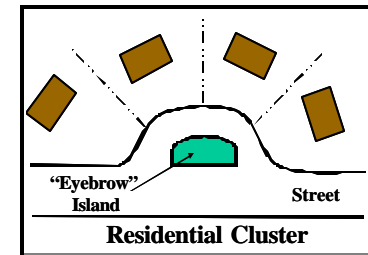
There are many alternatives to the traditional curvilinear street and cul-de-sac arrangements that have tended to dominate suburban residential design in the past decades. In some respects, elements of creative design are returning to concepts that helped create strong neighborhoods, such as common open spaces and clearly identified boundaries.

Traditional cul-de-sacs may still perform a useful function but their use should have a specific purpose, such as reaching a corner of the development site, or other similar use. Even though cul-de-sac lots have a significant marketing advantage, the other designs discussed here can also provide similar advantages.



The variety of layouts for lots and streets are numerous, but should emphasize easy access and clear views to open spaces and natural areas from many points within the development. They may range from very formal arrangements, with large, internal open space "town squares" to the more informal "eyebrow" lots. This may require the use of "single loaded" streets (where homes are placed only on one side of the street).

A "Village Green" can be created



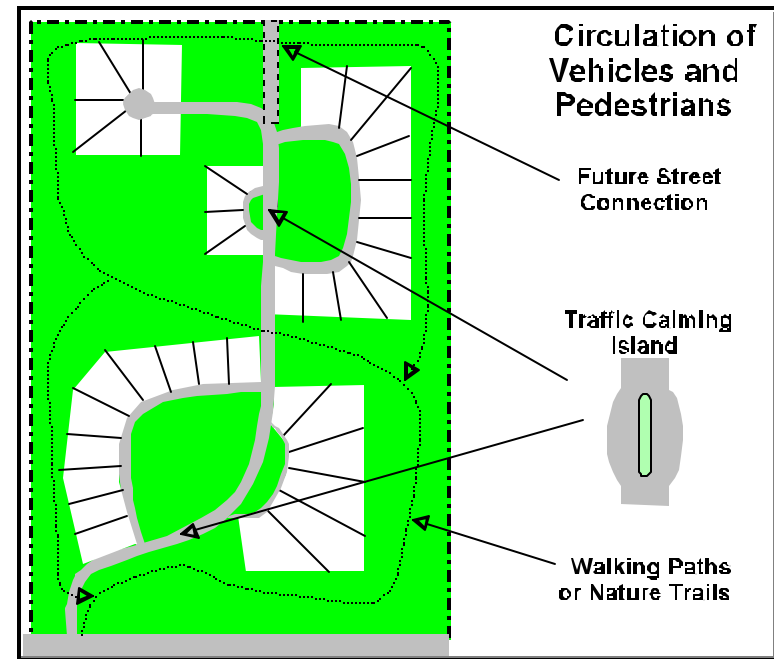
by routing a short street segment from the main collector street. The Green may either be actively use for recreation, or it may be used to isolate and preserve significant natural features.

“Eyebrows” are driveways or marginal access roads that provide an internal link to the main road. This may involve the use of a small island off the main street (see illustration). In effect, this is a down-scaled version of the Village Green layout, but generally serves a smaller number of homes.

Consideration of traffic patterns for both vehicles and pedestrians is also important. Nature and walking trails provide an attractive element to an Open Space Development, but must be planned and constructed carefully in order to be functional and remain in character with the area. Trail materials must be durable to avoid future maintenance issues. Materials such as wood chips, while natural, require frequent replenishment.

Whenever possible, the main road serving the development should have as few homes fronting it as possible.

Longer road segments may include traffic “calming” elements in the roadway to help avoid excessive speeds and promote safety.



Open Space Preservation Development Regulations

The following pages contain the Prairieville Township Open Space Preservation Development provisions of the Zoning

Ordinance. Open Space Development is considered a permitted use in the R-1, R-2, and A Zoning Districts. Allowing Open Space Developments as a permitted use is intended to be attractive to developers in that the review process is less complex than a planned unit development or other discretionary review process.

**ARTICLE X
OPEN SPACE PRESERVATION DEVELOPMENTS**

Section 8.0 Purpose

The purpose of this Section is to offer an alternative to traditional subdivisions through the use of open space preservation development opportunities, as authorized by Section 16h of the Township Zoning Act (Public Act 184 of 1943, as amended) for the purpose of:

- Assuring permanent preservation of substantial open space and other natural resources;
- Allowing innovation and greater flexibility in the design of residential developments;
- Facilitating construction and maintenance of streets, utilities, and public services in a more economical and efficient manner;
- Providing for site development that maintains a low visual impact, particularly along roadways and abutting properties;
- Encouraging a less sprawling form of development, thus preserving open space, natural features, and wildlife habitat areas consistent with the Township's rural character;
- Ensuring compatibility of design and use between neighboring properties.

These regulations are intended to result in a development substantially consistent with Zoning Ordinance requirements, generally, yet allowing for specific modifications from the general requirements. These regulations are not intended as a device for ignoring the Township's zoning requirements nor the planning concepts upon which the Zoning Ordinance has been based.

Section 8.1 Scope

An open space preservation development is defined as a residential development where the protection of substantial open space is the primary site development consideration, and the clustering or grouping of dwelling units and/or sites upon a small portion of the property is a fundamental feature.

An open space preservation development shall be permitted within the "R-1", "R-2", and "A" zoning districts, subject to the following requirements and standards.

Section 8.2 Open Space Requirements

- A. A minimum of 60 percent of the gross contiguous land area of the open space preservation development shall be designated as 'open space'.
- B. All significant/sensitive environmental resources (steep slopes, wetlands, woodlands, prime agricultural soils, scenic features, etc.) should be considered for inclusion within the designated "open space".
- C. The following land areas within the boundaries of the open space preservation development shall not be included as designated 'open space':
 - 1. land devoted to a residential lot or unit, accessory use, vehicle access, parking, and/or approved land improvement (other than those land improvements specifically referenced in the definition of "undeveloped state" in subsection D below.)
 - 2. public street right-of-way, or right-of-way deeded to the Township
 - 3. private street easements
- D. Designated 'open space' shall remain perpetually in an undeveloped state. "Undeveloped state" shall be defined as a natural state preserving natural resources, natural features, or scenic or wooded conditions; agricultural use; open space; or a similar use or condition. Land in an undeveloped state does not include a golf course but may include a recreational trail, picnic area, children's play area, greenway, or linear park.
- E. Designated 'open space' shall, except for open space used for agriculture, consist of contiguous land area and be easily accessible to all residents of the open space preservation development through open space segments between clusters, visual and pedestrian linkages and proximity to such open spaces. Open space design should consider adjacent properties for the purpose of linking open spaces and creating connected open space and wildlife corridors.
- F. Division (by platting, site condominiumizing or otherwise) of the designated 'open space' is prohibited.
- G. Designated 'open space' shall be under common ownership or control, such that there is a single person or entity having proprietary responsibility. Sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions shall be provided.
- H. Designated 'open space' shall be set aside through an irrevocable conveyance approved by the Planning

Commission, such as:

- recorded deed restrictions
- covenants that run perpetually with the land
- conservation easements
- land trusts

Such conveyance shall assure that the 'open space' will be protected from all forms of development, except as shown on the approved site plan, and shall never be changed to another use. Such conveyance shall also:

1. Indicate the proposed allowable use(s) of the designated 'open space';
 2. Require that the designated 'open space' be maintained by parties who have an ownership interest in the 'open space'; and
 3. Provide standards for scheduled maintenance of the 'open space';
- I. Failure of the party(ies) having an ownership interest in the designated open space to maintain the open space in accordance with the standards set forth in the terms of conveyance described in subsection "H" above shall constitute a violation of this ordinance and subject the violator(s) to all sanctions, including injunctive relief , provided for under Section 9.6.C of

this ordinance.

Section 8.3 General Development Requirements

- A. An open space preservation development shall be limited to single- and two-family residential dwelling units, provided that the total number of dwelling units does not exceed the density for the open space preservation development permitted by subsection B below.
- B. The total number of dwelling units allowable within an open space preservation development shall not exceed the density allowed by the applicable requirements of the underlying residential zoning district. The number of residential lots allowable within an open space preservation development shall be determined in the following manner:
- A parallel design for the project consistent with the State and Township requirements and design criteria for a tentative preliminary plat shall be presented to the Planning Commission for review;
 - The design shall be reviewed to determine the number of lots that could be feasibly constructed following the adopted plat requirements; and

- The number of lots determined by the Planning Commission in this review shall be the maximum number of residential sites allowable for the open space preservation development.

C. Minimum lot area and width requirements shall not apply within an open space preservation development. All other zoning ordinance dimensional requirements for the underlying zoning district shall apply, unless specifically modified by the Planning Commission. The Planning Commission is authorized to approve specific modifications from the dimensional requirements set forth in the Zoning Ordinance. Any dimensional modification shall be approved through a finding by the Planning Commission that the modification meets the purpose of the open space preservation development set forth in Section 8.0. Such a dimensional modification is not subject to variance approval or further relief by the Zoning Board of Appeals.

D. Residential sites shall be designed to accommodate adequate sewage disposal facilities where public sewer is not required.

E. Residential sites shall be confined to cluster areas established within the open space preservation development.

F. Cluster area design standards:

1. A range of approximately 5 to 10 sites per cluster area, arranged in a small, cohesive neighborhood, shall be considered a desirable design feature, as opposed to a linear arrangement.
2. Cluster areas should provide access to accommodate vehicles, utilities, and commonly owned facilities, as well as a linkage to the project open space system.
3. Cluster areas should be visually and physically separated from one another and off-site roadways by open space buffers.
4. Cluster areas should be integrated into the site without causing significant impacts on neighboring properties.
5. Cluster areas should be designed to be compatible with the surrounding community character.
6. The use of single-loaded streets (houses on only one side) - especially alongside 'open space', around community common areas, and to create foreground meadows along the public road that serves the development - should be incorporated into cluster

area designs to avoid a traditional suburban subdivision appearance.

- G. Visual screening of dwellings from off-site street networks and open space preservation development boundaries shall be accomplished through the siting of residences, maximizing existing screens, and providing new natural screens and/or open space buffers where appropriate.
- H. The proposed open space preservation development shall be under common ownership or control while being constructed, such that there is a single person or entity having proprietary responsibility for the full completion of the project. Sufficient documentation of ownership or control, that indicates the proposed development will be completed in its entirety, shall be submitted with the application for approval.

Section 8.4 Design Standards

- A. Interior Street System: The open space preservation development shall be serviced by an interior street system; dwelling units shall not front on or gain direct access from an off-site road network. Interior streets may be public and/or private subject to Township approval. Public streets shall be constructed to the standards of and dedicated to the Barry County Road

Commission.

Where adjoining areas are not subdivided, the arrangement of streets within the proposed open space preservation development shall be required to be extended to the boundary line of the project to make provision for the future projection of streets into adjoining areas.

When an interior street will serve as a connecting link between different land ownerships or different public roads, either currently or within the future, it shall be constructed as a public road in the Barry County road system or, if approved by the Township, it may be a private road located upon a 66-foot public right-of-way/easement granted to the Township for public ingress and egress.

If approved as a private road, the Township shall have no obligation or liability for the private road or maintenance thereof by virtue of the right-of-way/easement.

Where space permits, cul-de-sacs should be designed with a central island where vegetation shall be preserved/established.

Street systems should be designed so that their curvature or alignment produces 'terminal vistas' of open space elements, such as water features, meadows, or playing fields. This may commonly occur at the terminus of street intersections or through the use of single-loaded streets.

Street systems shall be designed to accommodate required emergency vehicle access and circulation.

- B. Access: Access to the open space preservation development shall be designed consistent with the rural, natural character of the area.
- C. Utilities: Public water and/or sanitary sewer services shall be required where reasonably available. Where such services are not reasonably available, private sewer facilities may be permitted subject to the review and regulation of the Michigan Department of Environmental Quality and/or the Barry County Health Department and the approval of the Township. All utility lines and installations capable of being placed underground, including telephone, electric and cable television, shall be placed underground.
- D. Stormwater Management: Stormwater management systems and drainage facilities shall be designed so as to:

- 1. protect the natural environment, including wetlands, water bodies, watercourses, flood plains, groundwater and soils;
- 2. retain the natural retention and storage capacity of any wetland, water body, or watercourse, and not increase flooding or the possibility of polluting surface water or groundwater, on-site or off-site; and
- 3. incorporate and/or use natural drainage systems existing on the site.

- E. Street Lighting: Street lighting shall be designed and arranged so as to avoid light spillover onto adjacent premises and so that any light source is shielded or directed so that the light intensity or brightness will not be reasonably objectionable to surrounding areas.
- F. Natural Features: The development shall be designed to promote the preservation of natural features.

Section 8.5 Review Criteria

In considering an application for approval of an open space preservation development, the Planning Commission shall make its determination on the basis of the Site Plan Review Criteria set forth in Section 4.13-4 and the following standards and criteria:

- A. The overall design and land uses proposed in connection with an open space preservation development shall be consistent with the intent of the open space preservation development concept and the specific open space/general development/design standards set forth herein.
- B. The proposed open space preservation development shall be serviced by the necessary public and/or private facilities to assure the public health, safety, and welfare of project residents and users.
- C. The proposed open space preservation development shall be designed to minimize the impact of traffic generated by the development on the surrounding land use and road network.
- D. The proposed open space preservation development shall be designed so as to be in character with surrounding conditions as they relate to the bulk and location of structures, pedestrian and vehicular circulation, landscaping, and amenities.
- E. The proposed open space preservation development shall be designed and constructed so as to preserve the integrity of existing on-site and off-site sensitive and natural environments, including wetlands, woodlands, hillsides, water bodies, and groundwater resources.

- F. The designated 'open space' shall be of functional value as it relates to opportunities for wildlife habitat, woodland preservation, agricultural use, recreation, visual impact, and access.
- G. The proposed open space preservation development shall comply with all applicable federal, state and local regulations.

Section 8.6 Application Guidelines

- A. Conceptual Development Plan Review.
 - 1. The applicant shall present the following information on the proposed open space preservation development for a conceptual review by the Planning Commission:
 - a. Sketch plan of the proposed layout;
 - b. An accurate legal description of the development site;
 - c. The names and addresses of all current owners of the development site;
 - d. The total acreage of the project site;
 - e. The number of acres to be developed by use;
 - f. The number of acres ineligible for density computation or open space;
 - g. The number of acres to be preserved as open

space;

- h. A parallel plan for determining the maximum allowable density as required by Section 8.3.B. This plan shall meet the requirements for a plat based upon PA 288 of 1967, as amended, and the Township Subdivision Control Ordinance. The plan shall be based upon the minimum lot area and the required dimensions for the underlying zoning district;
- i. The number and type of proposed dwelling units;
- j. The concept of the pedestrian and vehicular circulation system; and
- k. The location and dimension of known natural features.

- 2. Conceptual Development Plan approval shall not constitute an approval of a detailed final development/site plan but shall be deemed a tentative approval of the development concept and layout as a guide to the preparation of the final development/site plan. A request for modification of the conceptual development plan shall be submitted to the Planning Commission for review in the same manner as the original conceptual development plan.

B. Development/Site Plan Review.

- 1. Following conceptual development plan review, an open space preservation development shall undergo a final development/site plan review by the Planning Commission. The final development/site plan review shall conform to the approved conceptual development plan and incorporate any revisions required by the Planning Commission at the conceptual development plan review. If a final development/site plan is not submitted for review within 6 months of conceptual development plan approval, the Planning Commission may require a resubmission of the conceptual development plan for further review and possible revision. Development/site plan review shall be subject to all appropriate sections of the Zoning Ordinance.

- 2. The following information shall be provided as part of the development/site plan:
 - a. Boundaries of the open space preservation development;
 - b. A general location map showing the existing zoning designations, uses, and ownerships of the open space preservation development and all land within one quarter mile of the boundaries of the open space preservation development;
 - c. The topography of the site and its relationship to adjoining land;

- d. A general description of existing soil conditions per the Barry County Soil Survey Map;
- e. Locations and dimensions of wetland areas and other significant natural features such as: woodland areas, slopes in excess of 8%, lakes, ponds, streams and water drainage areas;
- f. The location of existing roads adjacent to the open space preservation development with an indication of how they will connect with the proposed circulation system for the proposed development;
- g. The pedestrian and vehicular circulation system proposed within the open space preservation development;
- h. Delineation of proposed residential cluster areas indicating for each such area its size and number of buildings, dwelling unit density, building envelopes, and orientation of units;
- i. The interior open space system and park/recreation areas;
- j. Proposed landscaping, including greenbelts, berms, and/or screening;
- k. The overall stormwater drainage system;
- l. The proposed sewage treatment method and water systems;
- m. A colored rendering of the development plan for presentation purposes;
- n. The overall plan shall represent the development

- concept using maps and illustrations for each use; specify square footage or acreage allocated to each use which is not residential; approximate locations of each principal structure in the development; setbacks, and typical layouts and architectural building elevations for each use. The plan shall summarize in a table form, the underlying zoning district requirements and specify, in table form, requested modifications from those requirements;
- o. A parallel plan for determining the maximum allowable density as required by Section 8.3.B. This plan shall meet the requirements for a plat based upon PA 288 of the 1967, as amended, and the Township Subdivision Control Ordinance. The plan shall be based upon the minimum lot area and the required dimensions for the underlying zoning district.
- p. Maps and written analysis of the significant natural, cultural, and geographic features of and near the site. Analysis must include:
 - i. existing vegetation;
 - ii. topography;
 - iii. water bodies;
 - iv. streets, rights-of-way, easements; and
 - v. existing structures.

- q. An analysis of vehicular traffic impact of the proposed open space preservation development on existing road network.
- r. A specific time schedule for the intended development and construction details, including proposed phasing or timing of all improvements.
- s. The name, address and telephone number of:
 - i. All persons with an ownership interest in the land on which the open space preservation development will be located together with a description of the nature of each entity's interest;
 - ii. All engineers, attorneys, architects or registered land surveyors associated with the open space preservation development;
 - iii. The developer or proprietor of the open space preservation development; and
 - iv. Any person(s) authorized to represent the owner in the review process.
- t. An accurate legal description of the open space preservation development, including appropriate tax identification numbers;
- u. A statement as to how common open space and park/recreation areas are to be owned and maintained.
- v. A narrative describing how the open space preservation development is consistent with the Township's Land Use Plan, the capacity and availability of necessary public facilities to the development, and the impact the development will have on adjoining properties.
- w. Written reviews/approvals from all applicable regulatory agencies, including but not limited to:
 - i. Barry County Drain Commission;
 - ii. Barry County Road Commission;
 - iii. Barry-Eaton Public Health Department;
 - iv. Fire Department having jurisdiction, including the Pine Lake Fire Department;

- x. Environmental Permits Checklist.
- y. Easements, deed restrictions, and other documents pertaining to the open space system and park/recreation areas.
- z. If condominium ownership is proposed, all documentation required by any condominium regulations of the Township; and
- aa. Engineering plans presented in sufficient detail to indicate compliance with the engineering standards adopted by the Township, including the cross sections of proposed streets, drive aisles, paved areas, and on-site drainage, including retention and/or detention areas.

C. Public Hearings and Noticing: The Planning Commission shall hold a public hearing on an application for Conceptual Development Plan Review and Development/Site Plan Review for an open space preservation development. Notice of a public hearing for an open space preservation development shall be accomplished in accordance with Section 6.10.

D. Effect of Approval: After a Development/Site Plan has been approved and construction of any part thereof commenced, no other type of development is permitted on the site without further approval thereof by the

Planning Commission after proceedings conducted as in the original application. This limitation shall apply to successive owners.

E. Conformity to Approved Plan: Property which is the subject of approval for an open space preservation development must be developed in strict compliance with the approved Development/Site Plan and any amendments thereto which have received Planning Commission approval. If construction and development does not conform with same, the approvals thereof shall be forthwith revoked pursuant to Section 4.13-6. Upon revocation of such approval, all further construction activities shall cease upon the site other than for the purpose of correcting the violation.

F. Amendment to Approved Plan: A proposed amendment or modification to a previously approved Development/Site Plan shall be submitted to the Planning Commission for review in the same manner as the original application was submitted and reviewed.

G. Project Phasing: When proposed construction is to be phased, the project shall be designed in a manner that allows a phase to fully function on its own regarding services, utilities, circulation, facilities, and open space. Each phase shall contain the necessary components to insure protection of natural resources and the health,

safety, and welfare of users of the open space preservation development and the residents of the surrounding area.

Each phase of the project shall be commenced within 12 months of the schedule set forth on the approved site plan. If construction of any phase is not commenced within the approved time period, approval of the plan shall become null and void.

- H. Security Deposit: The Planning Commission may require that a security deposit, in accordance with Section 4.13-8, be deposited with the Township to insure completion of the site in accordance with the approved plans.

- I. Recording of Action: No building permit shall be issued for an open space preservation development and no construction activity commenced within the open space preservation development until an affidavit containing the full legal description of the open space preservation development, specifying the date of final Planning Commission approval, and declaring that all improvements will be carried out in accordance with the approved open space preservation Development/Site Plan, is recorded with the Register of Deeds for Barry County.

In addition, all required public dedications for streets, utility easements or other public facilities, and deed restrictions shall be duly filed with the Township and have been recorded with the Register of Deeds for Barry County.