

**ORDINANCE 2020-005  
CITY OF ROMULUS  
APPENDIX A - ZONING  
AMENDMENT 1.248**

**AN ORDINANCE AMENDING ARTICLE 6, CENTRAL BUSINESS DISTRICT, SECTION 6.02; and ARTICLE 7, BUSINESS DISTRICTS, SECTION 7.02 of the ZONING ORDINANCE FOR THE CITY OF ROMULUS.**

**THE CITY OF ROMULUS ORDAINS:**

**SECTION 1. Article 16, is amended to read as follows:**

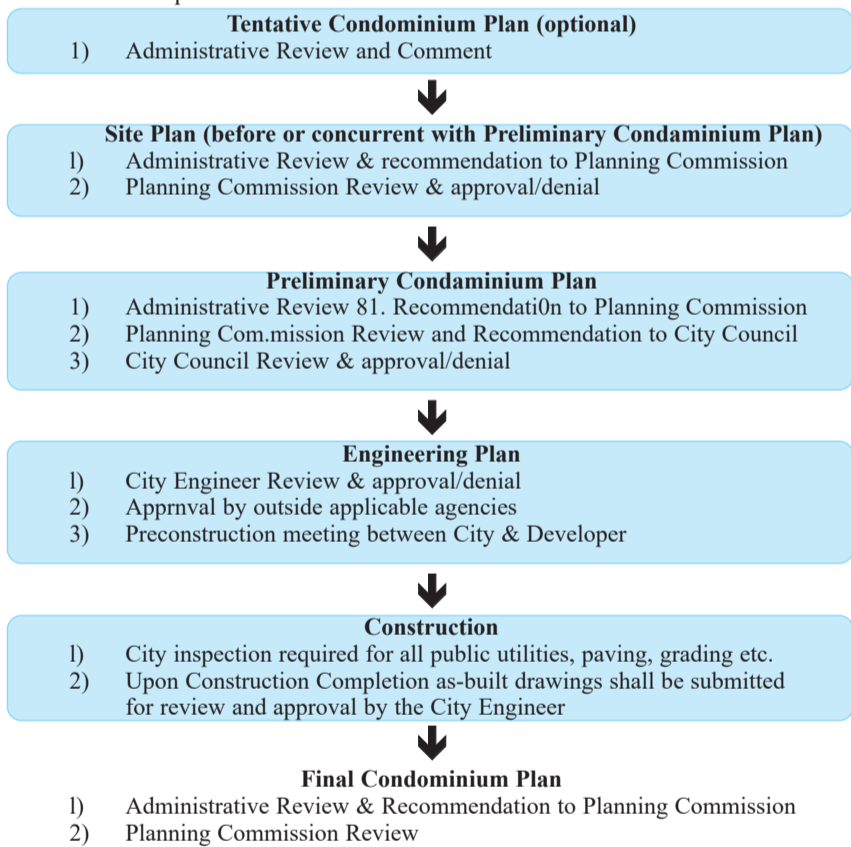
**Section 16.01 Intent**

The intent of these requirements is to ensure that all residential and nonresidential condominiums, including attached condominiums and detached site condominiums, are developed in compliance with accepted planning and engineering standards applicable to similar forms of development, as reflected in the ordinances and requirements of the City of Romulus. Site condominiums are a permitted form of development for uses permitted within any district, subject to the requirements of that district; requirements applicable to the form of development (i.e. subdivision requirements for site condominiums or multiple-family site plan requirements for attached condominiums); and the regulations of this Article.

**Section 16.02 Review Process**

All condominium plans shall be submitted for review and approval in accordance with the process as outlined in Article 17, Site Plan Review Requirements and Procedures, of this Ordinance prior to the recording of the master deed as required in the Condominium Act (MCL 559.172). In addition, prior to any new construction, engineering plans shall be submitted for review and approval, and all necessary federal, state and local permits shall have been obtained. Condominium plans shall be reviewed under the following procedures and are subject to fees.

- (a) **Tentative Plan (Optional).** Applicants may submit a Tentative Condominium Plan to the City. This opportunity is available for the applicant to better understand what will be required for following submittals for a condominium development. This plan will be reviewed by the City staff and consultants to provide written recommendation and comments.
- (b) **Preliminary Condominium Plan.** The proposed Preliminary Condominium Plan shall be submitted for review by the Planning Commission with recommendation to the City Council. It is encouraged that the proposed site plan associated with the Preliminary Condominium Plan for any development be submitted to be reviewed concurrently with the Preliminary Condominium Plan. This is to ensure full compliance with City standards and ordinances, as revisions to either the condominium plan or site plan could directly impact the other. Revisions to an approved Preliminary Condominium Plan may require resubmittal and approval. The plans shall be reviewed by the City staff and consultants for compliance with City standards and ordinances and written comments will be provided to the Planning Commission.
  - (1) The Planning commission shall review and make a recommendation to the City Council to either approve, approve with conditions, or deny the Preliminary Condominium Plan; the Planning Commission shall approve, approve with conditions, or deny any associated site plan for the proposed development.
  - (2) Following the Planning Commission recommendation the Preliminary Condominium Plan will be forwarded to the City Council for approval, approval with conditions or denial.
- (c) **Engineering Plan Review.** Detailed engineering plans shall be submitted in accordance with the City of Romulus Engineering Design and Construction Standards Manual for review and approval. Plans shall be submitted within eighteen (18) months of the approved site. A one (1) year extension may be granted by the City Council, with all extension requests to be directed through the City Planning Department. No construction activities may begin for any project until detailed engineering plans have been approved by the City Engineer and performance guarantees in accordance with Section 21.10 are in place, and preconstruction meeting held with the City and property developer or proprietor present.
- (d) **Final Condominium Plan.** The Final Condominium Plan shall be submitted with all parts updated to reflect the site as it is constructed. The site shall have been substantially completed prior to submittal with all paving, utilities and units completed.
  - (1) The Final Condominium Plan shall be presented to the Planning Commission for final approval.
  - (2) The Final Condominium Plan will require City Council approval only if it is determined that significant changes to the plan have been made from the approved preliminary condominium plan.



**Section 16.03 Submittal Requirements**

- (a) **Tentative Condominium Plan.** The submittal of a tentative condominium plan is optional. The applicant may submit and is encouraged to submit more information but below is the minimum information required to review:
  - (1) Name, address and telephone number of:
    - a. The Applicant.
    - b. The Property owner.
    - c. Developer or proprietor of the condominium project.
  - (2) Legal description of the proposed parcel(s) to be developed including tax identification numbers and parcel size.
  - (3) Zoning of the proposed and adjacent parcels.
  - (4) Proposed site use and anticipated number of units.
  - (5) Plan indicating proposed units, size and location.
  - (6) Additional information as required for the preliminary submittal is encouraged.
- (b) **Preliminary Condominium Plan.** A full draft submittal of the condominium plan prepared by an appropriate design professional registered in the State of Michigan. Submittal shall bear the signature and seal of the licensed Architect, Engineer or Surveyor that prepared the plan. All parts as required under section 66 of the Condominium Act shall be submitted where applicable including:
  - (1) Coversheet.
  - (2) Survey plan, signed and sealed by a licensed professional surveyor.
  - (3) Flood plain plan, site is within or abuts a floodplain area.
  - (4) Site plan, as approved by the Planning Commission.
  - (5) Utility Plan.
  - (6) Floor Plan.
  - (7) Size, location, area and horizontal boundaries of each condominium unit.
  - (8) Each unit shall have a number assigned.
  - (9) Any proposed phasing shall be identified on the plan. Items that "must be built" or "need not be built" for each phase shall be clearly identified.
  - (10) Nature, location and size of common elements.
  - (11) Draft of the master deed, bylaws and articles of incorporation of the association.
- (c) **Engineering Plan.** Detailed engineering drawings shall be submitted to the Building Department in accordance with the City of Romulus Engineering Design and Construction Standards Manual. Plans shall meet the requirements of the City engineering standards and shall include but are not limited to the site plan as approved by the Planning Commission, detailed grading plan, fully dimensioned paving and utility plans, utility profiles, and storm sewer and detention calculations and applicable City standard details. All applicable permits and/or approvals for the proposed development shall be obtained and copies submitted. The City Engineer shall assist the applicant in obtaining appropriate permits for construction of any proposed City owned utilities such as public water main or public sanitary sewer.
- (d) **Final Condominium Plan.** All items included in the Preliminary Condominium Plan submittal shall be resubmitted reflecting any conditions required by the City during the Preliminary

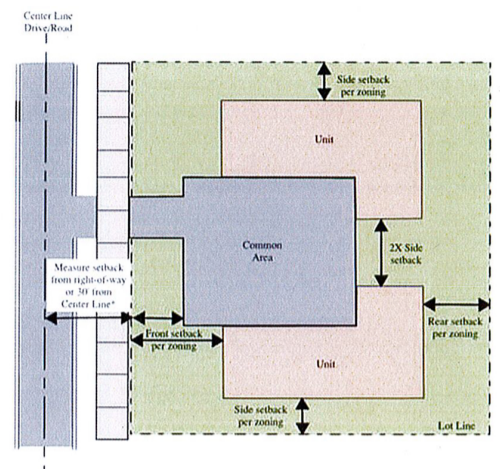
Condominium Plan submittal, revisions required during the Engineering Plan review and any other revisions made to the plan as it was constructed. All items identified as "must be built" shall have been completed. Documents submitted shall be reproductions of the original drawings and shall be signed and sealed by the appropriate design professionals.

**Section 16.04 Construction**

- (a) Construction of proposed development shall begin within eighteen (18) months of the Preliminary Condominium Plan approval. The City Council may grant an extension of one (1) year. All requests for extensions shall be submitted to the City Planning Department prior to expiration of the Preliminary Condominium Plan approval.
- (b) During construction the City shall inspect all required improvements such as streets, utilities, stormwater drainage and monumentation. A certificate of occupancy shall not be issued until it is determined that all required improvements have been properly installed in accordance with the City and industry standards and permit requirements.
- (c) Following completion of construction the developer or proprietor shall also furnish an as-built survey meeting the requirements outlined in the City of Romulus Engineering Design and Construction Standards Manual.
- (d) Final acceptance of all utilities, infrastructure and streets shall be accomplished prior to issuance of any temporary or final certificate of occupancy. The City may require all appropriate code inspections.
- (e) Final acceptance and release may be completed in phases as approved by the City. Any proposed phases shall be clearly outlined on the approved site plans.

**Section 16.05 District Requirements and Design Standards**

- (a) For condominiums with no clearly defined internal unit lines, all improvements shall meet the setback requirements from the exterior lines. Site condominium developments with unit lines (site condominiums) shall meet the setbacks required for the zoning district in which the condominium is located. Any proposed interior front yards shall be measured as defined below. In addition all improvements including buildings, parking, and loading and storage areas within the site shall be constructed no less than 2 times the required side or rear setback for the district from one another.
  - (1) **Front Yard Setback.** The front yard shall be considered as any existing or proposed public and/or private road right-of-way, or a line parallel to center line of the drive thirty (30) foot offset, whichever is greater.
  - (2) **Side Yard Setback.** The setback shall be considered as lot/parcel lines generally extending between the front and rear yard or from a front and another side yard line where no rear exists.
  - (2) **Rear Yard Setback.** The rear yard shall be considered a line generally opposite and parallel to the front yard. In no instance shall a rear yard line ever intersect a front yard line.
- (b) **Single Family Residential (Site Condominium).** All detached single family homes shall meet City design requirements for residential subdivisions and shall comply with Article 3, Single-Family Residential Districts. Dwelling density and spacing shall be no different than if the project were to be subdivided, pursuant to the Land Division Act
- (c) **Attached or Multi-family Residential.** All attached or multifamily residential development shall meet the requirements of Article 4, Multiple Family Residential Districts.
- (d) **Commercial, Office and Industrial.** Nonresidential development shall comply with applicable zoning standards applicable for the associated zoning district.



**Section 16.06 Utility Easements**

The Condominium Plan shall identify all easements impacting the site, existing or proposed. All proposed public easements shall be subject to the review and approval of the City. Standards public utility easement requirements are identified in the City of Romulus Engineering Design and Construction Standards Manual, however additional requirements or easement width may be required based on the site design or other unique existing restrictions.

**Section 16.07 Access and Roads**

The Condominium Plan shall clearly define a safe and reasonable access to all identified condominium units. This shall include roads and drives, or shared access defined in the mater deed. Any roads or drives internal to the site intended to benefit more than a single unit shall be constructed in accordance with the City of Romulus Engineering Design and Construction Standards Manual for public roads. Based on the nature of the Condominium Plan, the City will determine the number and layout of the units whether any roads constructed are to be public or private.

Proposed emergency vehicle access route shall be clearly identified on the plan and shall be maintained, as required by the Fire Department. Maintenance of the proposed emergency vehicle access shall be addressed in the master deed.

**Section 16.08 Monuments Required**

- All condominium projects shall be fully monumented as follows.
- (a) Monuments shall be located at all exterior boundary corners and points of curvature, intersections of street lines and intersection of the exterior boundary with street.
  - (b) All monuments used shall be made of solid iron or steel bars at least one-half (1/2) inch in diameter and thirty-six (36) inches long and completely encased in concrete at least four (4) inches in diameter.
  - (c) If the required location of a monument is an inaccessible place, or where the locating of a monument would be clearly impracticable, it is sufficient to place a reference monument at the nearest point possible and indicate the precise location on the plans and referenced to the true point.
  - (d) All monuments shall be placed flush to the ground where practical
  - (e) For site condominiums, unit corners not otherwise required to be monumented as outlined above, shall be monumented in the field by iron or steel bars or iron pipes at least eighteen (18) inches long and one-half (1/2) inch in diameter, or other approved markers.

**SECTION 2: Severability.**

Should any word, sentence, phrase or any portion of this ordinance be held in any manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such words, sentence, phrase, or any portion of the ordinance held to be so invalid and shall not be construed as effecting the validity of any of the remaining words, sentences, phrases or portions of this ordinance.

**SECTION 3: Conflicting Ordinances.**

All prior existing ordinances adopted by the City of Romulus inconsistent or in conflict with the provisions of this ordinance are, to the extent of such conflict or inconsistency hereby expressly repealed.

**SECTION 4: Effective Date.**

This ordinance shall take effect upon publication thereof in an official newspaper, which publication shall be made when the minutes passing the ordinance are published subject to revocation at will of the City of Romulus at any time.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Romulus this 28th day of September, 2020.

LEROY BURCROFF, Mayor  
  
Ellen L. Craig-Bragg, CMC, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Romulus at a regular Council Meeting on the 28th day of September, 2020.

Ellen L. Craig-Bragg, CMC, City Clerk

I further certify that the foregoing was published in The Eagle, a newspaper of general circulation in the City of Romulus, on the 15 day of October, 2020.

Ellen L. Craig-Bragg, CMC, City Clerk

Within forty-five (45) days after publication of any ordinance duly passed by the Council, a petition may be presented to the Council protesting against such ordinance continuing in effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors registered at the last preceding election at which a Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

Introduced: 9/14/2020  
Adopted: 9/28/2020  
Published: Oct. 15, 2020  
Effective: Oct. 15, 2020