

CHARTER TOWNSHIP OF COMSTOCK

ORDINANCE 571

ADOPTED: SEPTEMBER 21, 2026

EFFECTIVE: OCTOBER 12, 2026

An Ordinance to amend the Comstock Charter Township Zoning Ordinance to entirely replace its Planned Unit Development regulations with new regulations; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

**CHARTER TOWNSHIP OF COMSTOCK
KALAMAZOO COUNTY, MICHIGAN**

ORDAINS:

**SECTION I
ZONING ORDINANCE AMENDMENT
ARTICLE 3 – ZONING DISTRICTS
SECTION 3.24 - PLANNED UNIT DEVELOPMENT**

Section 3.24 of the Comstock Charter Township Zoning Ordinance titled “Planned Unit Development” is hereby amended in its entirety to read as follows:

3.24 Planned Unit Development (PUD) District.

- A. **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 Charter Township of Comstock 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 Township goals and the public interest.

B. Objectives and Qualifying Conditions.

1. The degree to which the following objectives are satisfied shall be considered by the Planning Commission and 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 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 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 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 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 Charter Township of Comstock Master Plan.

C. **Legacy PUDs.**

Prior to the effective date of this Ordinance, Planned Unit Developments were reviewed and approved in the Charter Township of Comstock under a prior Zoning Ordinance. Because these developments are fully constructed, the 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 Charter Township of Comstock 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.
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 Article 6 Section 6.1. 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 Charter Township of Comstock 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 Sub-Section N.

D. 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 Township Master Plan;
 - c. A combination of uses that are compatible with existing and adjacent land uses and the 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 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 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 Charter Township of Comstock.

E. 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 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.

F. Design Standards.

1. Deviations from Minimum Requirements. In approving a PUD, the 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:
 - i. The proposed deviations shall preserve any ecologically significant natural features of the site;
 - ii. The proposed deviations shall create, maintain, or improve habitat for wildlife;
 - iii. The proposed deviations shall create, maintain, or improve open space, walkability, safety, or otherwise improve the quality of the development for its residents;
 - iv. The proposed deviations shall constitute an adaptive re-use or redevelopment of buildings and/or property; and/or
 - v. The proposed deviations shall be necessary for the development or redevelopment of property that would not be feasible without the deviations.

vi. The proposed deviations shall be consistent with the Charter Township of Comstock 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 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.

G. 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 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 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 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.

H. General Application Procedures.

1. The following steps, which are outlined in Sub-Sections I-M, 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 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. A conceptual plan shall be submitted to the Planning Commission for initial review. The applicant shall also attend a pre-application review of the proposed PUD Plan with the Planning Commission.
 - c. PUD Preliminary Plan and PUD Rezoning.
 - i. 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 Township Board
 - ii. The 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

Township personnel shall review the PUD final site plan in accordance with Sub-Section M of this Section.

2. Either concurrently with the PUD Preliminary Plan application, or upon approval by the 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 Comstock Township Zoning Ordinance and Zoning Map to include the approved PUD.

I. Pre-application Conference.

Prior to the submission of an application for PUD, the applicant shall meet with the Zoning Administrator, 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.

J. Conceptual Planning Commission Review.

1. Following the pre-application conference, preliminary plans of the proposed PUD shall 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 Sub-Section B.
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.

K. Procedures for PUD Preliminary Plan and PUD Rezoning.

1. Required Information. Following the conceptual review in Sub-Section J, the applicant shall submit a completed application form for PUD rezoning, the required application fee, and 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.
 - i. Name and firm address of the professional individual responsible for preparing the preliminary plan and their professional seal.
 - ii. Name and address of the property owner or petitioner.
 - iii. Scale, north arrow, and date.
 - iv. Acreage (gross and net).
 - v. Zoning of adjacent properties.
 - vi. Legal property description.

b. Existing site conditions:

- i. Boundary survey lines and setbacks.
- ii. Location sketch showing site, adjacent streets, and properties within 200 feet or as otherwise directed.
- iii. Location, width, and purpose of all existing easements and lease areas, including cross-access.
- iv. Abutting street right(s)-of-way and width.
- v. Topography with contour intervals of no more than 2 feet.
- vi. 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.
- vii. Existing buildings, structures, paved surfaces and areas, installed landscaping, and other significant physical infrastructure.
- viii. Size and location of existing utilities and status, where applicable.

c. Proposed Development:

- i. 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.
- ii. Recreation areas, common use areas, dedicated open space, and areas to be conveyed for public use.
- iii. Layout of sidewalks and/or pathways, both internal to the development and along the main road frontage.
- iv. Layout and typical dimensions of building envelopes, proposed lots.
- v. Parking, stacking, and loading calculations, if applicable.
- vi. Phasing plan, if applicable.
- vii. Preliminary plan for the provision of public water and public sanitary sewer services.
- viii. Preliminary grading plan.
- ix. Preliminary stormwater plan.

x. Proposed building types, including building elevations and footprints.

d. Additional Information.

i. 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 Sub-Section B and the standards of Sub-Section L are met. By way of example, the written narrative may address the following, along with other topics deemed relevant:

1. How the proposed PUD is meeting a need in the marketplace.
2. How the proposed PUD will benefit the Charter Township of Comstock.
3. The overall vision for the property and the development.
4. Justification for any requested deviations from the underlying zoning district.

ii. A written list of all requested deviations as specified in Sub-Section F(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 Township determines that the proposed plans require additional deviations beyond those originally noted.

iii. 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.

a. 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 is not required, but may be held at the discretion of the Planning Commission. If a public hearing is held, legal notice shall be given.

b. The Planning Commission shall review the PUD Preliminary Plan in consideration of public comments, technical reviews from 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 Township Board. The Planning Commission's recommendation shall be documented with findings to justify its recommendation.

- c. In order to recommend approval of the PUD Preliminary Plan and PUD rezoning, the Planning Commission shall find that the standards of Sub-Section L are satisfied.

3. Township Board Review and Required Public Hearing.

- a. Following receipt of a recommendation from the Planning Commission on the PUD Preliminary Plan and PUD rezoning, the Township Board shall hold a public hearing on the proposed PUD. Legal notice of the hearing shall be given.
- b. After the public hearing, the Township Board shall review the application in consideration of the Planning Commission's written recommendation, public hearing comments, technical reviews from Township staff and consultants, and other applicable standards and requirements. Within a reasonable time, the Township Board shall approve, approve with conditions, or deny the PUD Preliminary Plan and PUD rezoning. The Township Board's decision shall be documented with written findings to justify its decision.
- c. In accordance with the Michigan Zoning Enabling Act, as amended, the 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.
- d. Approval of the PUD Preliminary Plan and PUD rezoning by the 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 Township Board may require the applicant to enter into a development agreement with the Township in recordable form acceptable to the 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 Township Board. The agreement shall also establish the remedies of the Township 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 Kalamazoo County Register of Deeds.

L. PUD Preliminary Plan and Rezoning Standards of Approval.

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

1. The proposed PUD complies with the purpose, objectives, and qualifying conditions of Sub-Sections A and B.
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 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.

M. 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 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 6 Section 6.1 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 Township 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 PUDs 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 Charter Township of Comstock. These review processes may occur concurrently with the process for PUD plan review and PUD rezoning.

N. 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 Township. Each phase of a PUD shall require the submittal of a site plan as outlined in Sub-Section M.
2. Amendments to an Approved PUD. An amendment to an approved PUD shall be reviewed and approved by the Planning Commission and Township Board pursuant to Sub-Section K(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 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 Sub-Section M 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 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 Sub-Sections L and M, 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 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 Township Board may

require the applicant for PUD rezoning to furnish a performance guarantee.

SECTION II
ZONING ORDINANCE AMENDMENT
USE MATRIX

The Use Matrix of the Township Zoning Ordinance is hereby amended by deleting “Planned unit developments” from the list of uses.

SECTION III
ZONING ORDINANCE AMENDMENT
ARTICLE 3 – ZONING DISTRICTS
SECTION 3.1.A – AGR AGRICULTURE-RESIDENTIAL

Section 3.1.A of the Township Zoning Ordinance titled “AGR Agriculture-Residential” is hereby amended to replace subsection 3.x. to read as follows:

“x. Reserved for future use.”

SECTION IV
ZONING ORDINANCE AMENDMENT
ARTICLE 3 – ZONING DISTRICTS
SECTION 3.1.C – R1-A SINGLE-FAMILY RESIDENTIAL

Section 3.1.C of the Township Zoning Ordinance titled “R1-A Single-Family Residential” is hereby amended to replace subsection 3.p. to read as follows:

“p. Reserved for future use.”

SECTION V
ZONING ORDINANCE AMENDMENT
ARTICLE 3 – ZONING DISTRICTS
SECTION 3.1.D – R1-B SINGLE-FAMILY RESIDENTIAL

Section 3.1.D of the Township Zoning Ordinance titled “R1-B Single-Family Residential” is hereby amended to replace subsection 3.p. to read as follows:

“p. Reserved for future use.”

SECTION VI
ZONING ORDINANCE AMENDMENT
ARTICLE 3 – ZONING DISTRICTS
SECTION 3.1.E – R1-C CLUSTER HOUSING

Section 3.1.E of the Township Zoning Ordinance titled “R1-C Cluster Housing” is hereby amended to replace subsection 3.v. to read as follows:

“v. Reserved for future use.”

SECTION VII
ZONING ORDINANCE AMENDMENT
ARTICLE 3 – ZONING DISTRICTS
SECTION 3.1.F RM MULTIPLE-FAMILY RESIDENTIAL

Section 3.1.F of the Township Zoning Ordinance titled “RM Multiple-Family Residential” is hereby amended to replace subsection 3.y. to read as follows:

“y. Reserved for future use.”

SECTION VIII
ZONING ORDINANCE AMENDMENT
ARTICLE 3 – ZONING DISTRICTS
SECTION 3.1.Q – OW OPEN WETLANDS

Section 3.1.Q of the Township Zoning Ordinance titled “OW Open Wetlands” is hereby amended to replace subsection 4.n. to read as follows:

“n. Reserved for future use.”

SECTION IX
ZONING ORDINANCE AMENDMENT
ARTICLE 3 – ZONING DISTRICTS
SECTION 3.1.R – OSP OPEN SPACE PRESERVATION OVERLAY

Section 3.1.R of the Township Zoning Ordinance titled “OSP Open Space Preservation Overlay” is hereby amended to replace subsection 4.b. to read as follows:

“b. **Access.** Access to the dwelling units within the residential cluster may be in the form of a public road or private road, with any private road adhering to the standards under Section 3.24 Planned Unit Development District.”

SECTION X
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION XI
EFFECTIVE DATE/REPEAL

This Ordinance shall take effect eight days after publication. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Amber Lawrence, Clerk
Comstock Charter Township
5858 King Highway,
Kalamazoo MI 49048
269-381-2360
www.comstockmi.gov
clerk@comstockmi.gov

NOTICE OF ORDINANCE ADOPTION
CHARTER TOWNSHIP OF COMSTOCK
KALAMAZOO COUNTY, MICHIGAN

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CHARTER TOWNSHIP OF COMSTOCK, KALAMAZOO COUNTY, MICHIGAN AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that the following is a summary of an ordinance that was adopted by the Township Board of the Charter Township of Comstock on September 21, 2026.

AMENDMENT TO THE TOWNSHIP ZONING ORDINANCE
PLANNED UNIT DEVELOPMENT
ORDINANCE NO. 571

SECTION I. ZONING ORDINANCE AMENDMENT, ARTICLE 3 – ZONING DISTRICTS, SECTION 3.24 - PLANNED UNIT DEVELOPMENT. Section 3.24 of the Comstock Charter Township Zoning Ordinance titled “Planned Unit Development” is hereby amended in its entirety to be replaced by new regulations governing PUDs, which includes the following sections.

- A. Purpose and intent;
- B. Objectives and qualifying conditions;
- C. Legacy PUDs;
- D. Permitted uses and residential density;
- E. Non-residential or mixed-use PUDs;
- F. Design standards;
- G. Open space;
- H. General application procedures;
- I. Pre-application conference;
- J. Conceptual planning commission review;
- K. Procedures for PUD preliminary plan and PUD rezoning;
- L. PUD preliminary plan and rezoning standards of approval;
- M. PUD final site plan;
- N. Approved PUDs.

SECTION II. ZONING ORDINANCE AMENDMENT USE MATRIX. The Use Matrix of the Township Zoning Ordinance is hereby amended by deleting “Planned unit developments” from the list of uses.

SECTION III. ZONING ORDINANCE AMENDMENT TO ARTICLE 3 – ZONING DISTRICTS, SECTION 3.1.A – AGR AGRICULTURE-RESIDENTIAL. This section amends section 3.1.A of the Township Zoning Ordinance to remove “Planned unit developments” from the list of uses allowed in the AGR Agricultural-Residential Zoning District.

SECTION IV. ZONING ORDINANCE AMENDMENT TO ARTICLE 3 – ZONING DISTRICTS, SECTION 3.1.C – R1-A SINGLE-FAMILY RESIDENTIAL. This section amends section 3.1.C of the Township Zoning Ordinance to remove “Planned unit developments” from the list of uses allowed in the R1-A Single-Family Residential Zoning District.

SECTION V. ZONING ORDINANCE AMENDMENT TO ARTICLE 3 – ZONING DISTRICTS, SECTION 3.1.D – R1-B SINGLE-FAMILY RESIDENTIAL. This section amends section 3.1.D of the Township Zoning Ordinance to remove “Planned unit developments” from the list of uses allowed in the R1-B Single-Family Residential Zoning District.

SECTION VI. ZONING ORDINANCE AMENDMENT TO ARTICLE 3 – ZONING DISTRICTS, SECTION 3.1.E – R1-C CLUSTER HOUSING. This section amends section 3.1.E of the Township Zoning Ordinance to remove “Planned unit developments” from the list of uses allowed in the R1-C Cluster Housing Zoning District.

SECTION VII. ZONING ORDINANCE AMENDMENT TO ARTICLE 3 – ZONING DISTRICTS, SECTION 3.1.F – RM MULTIPLE-FAMILY RESIDENTIAL. This section amends section 3.1.F of the Township Zoning Ordinance to remove “Planned unit developments” from the list of uses allowed in the RM Multiple-Family Residential Zoning District.

SECTION VIII. ZONING ORDINANCE AMENDMENT TO ARTICLE 3 – ZONING DISTRICTS, SECTION 3.1.Q – OW OPEN WETLANDS. This section amends section 3.1.Q of the Township Zoning Ordinance to remove “Planned unit developments” from the list of uses allowed in the OW Open Wetlands Zoning District.

SECTION IX. ZONING ORDINANCE AMENDMENT TO ARTICLE 3 – ZONING DISTRICTS, SECTION 3.1.R – OSP OPEN SPACE PRESERVATION OVERLAY. This section is amended to require that private access roads to residential clusters in this district adhere to the standards of the new Section 3.24, titled “Planned Unit Development District.”

SECTION X. SEVERABILITY. If any part of this Ordinance is declared unenforceable by a court of competent jurisdiction, it shall not invalidate any other provision of this Ordinance which shall remain in full force and effect.

SECTION XI. EFFECTIVE DATE/REPEAL. This Sections sets the effective date of this Ordinance as eight (8) days after its publication following final adoption. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PLEASE TAKE FURTHER NOTICE that the full text of the Ordinance is posted in the Office of the Charter Township of Comstock Clerk at the address set forth below; on the Charter Township of Comstock website at <https://comstockmi.gov>; and that a copy of the Ordinance may be purchased or inspected at the office of the Charter Township of Comstock Clerk during regular business hours of regular working days (Mondays, Tuesdays and Thursdays 8:00 a.m. – 4:30 p.m., Wednesdays 8:00 a.m. – 6:00 p.m. and Fridays 8:00 a.m. – 12:00 p.m.) following the date of this publication.

Amber Lawrence, Clerk
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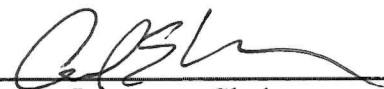
CLERK'S CERTIFICATE

I, Amber Lawrence, Township Clerk of the Charter Township of Comstock, Kalamazoo County, Michigan, do hereby certify that in pursuance of law and statute provided, at a meeting of the Charter Township of Comstock Township Board held on September 21, 2026, at 6:00 p.m. at which the following members were present, the Board enacted and passed Ordinance No. 571, hereinbefore recorded, to become effective on October 12, 2026, and that the members of said Board present at said meeting voted on the adoption of said Ordinance as follows:

Benjamin Martin	Aye
Amber Lawrence	Aye
Sandra Bloomfield	Aye
Jerry Amos	Aye
Kirk Hart	Aye
John Paver III	Aye
Joseph VanBruggen	Aye

I do further certify that a Notice of Ordinance Adoption was published in the Kalamazoo Gazette, a newspaper printed in Kalamazoo, Michigan, and circulated in the Charter Township of Comstock on Sunday, October 4, 2026; that said Ordinance No. 571 was recorded in the official Ordinance Book on Oct. 6, 2026.

Dated: October 6, 2026


Amber Lawrence, Clerk

ATTEST:


Benjamin Martin, Supervisor