

ARTICLE XI

PLANNED UNIT DEVELOPMENT

SECTION 11.10 OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS:

It shall be the policy of Raisin Charter Township to promote progressive development of land and construction thereon by encouraging planned unit developments to achieve:

- 11.10.1 A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks, and area requirements.
- 11.10.2 A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services.
- 11.10.3 A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns.
- 11.10.4 A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.
- 11.10.5 A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the Townships Land Use Plan.

The Township is also prepared to accept a greater population density in undeveloped areas than that reflected by present zoning provided the developer can demonstrate that any increment of public cost clearly attributable to increased densities will be compensated for by the private amenities and public benefits to be achieved by the plan of development.

SECTION 11.20 PROVISIONS GOVERNING PLANNED UNIT DEVELOPMENTS:

Because of the special characteristics of planned unit developments, special provisions governing the development of land for this purpose are required. Whenever there is a conflict or difference between the provisions of this Article and those of the other articles of this Ordinance, the provisions of this Article shall prevail. Subjects not covered by this Article shall be governed by the respective provisions found elsewhere in this Ordinance.

SECTION 11.30 APPLICATION AND PROCEDURE:

Upon approval by the Planning Commission and the Township Board, a planned unit development district may be applied to any existing residential district. Upon approval of a final development plan, the Official Zoning Map shall be annotated for the land area involved so that the district name includes the notation, "PUD". Planned unit development districts shall be approved by the Planning Commission and the Township Board in the manner provided in this Ordinance.

SECTION 11.40 USES PERMITTED:

Compatible residential, commercial, and public uses may be combined in PUD districts provided that the proposed location of the commercial or industrial uses will not adversely affect adjacent property, and/or the public health, safety, and general welfare. Building site area and other setback requirements of the residential districts shall apply except as modified in this ordinance.

The amount of land devoted to commercial use in a residential-commercial development shall be determined by the Planning Commission and approved by the Township Board.

SECTION 11.50 MINIMUM PROJECT AREA:

The gross area of a tract of land to be developed in a planned unit development district shall be a minimum of five (5) acres. Smaller parcels may be considered, provided that they meet the requirements of Section 11.10 of this article. Provisions for smaller parcels are also contained in this ordinance.

When the planned unit development proposes a mixture of residential uses with commercial uses, the Planning Commission may limit the development to not more than eight (8) percent of the tract to commercial uses.

SECTION 11.60 PROJECT OWNERSHIP:

The project land may be owners, leased, or controlled either by a single person or corporation, or by a group of individuals or corporations. Such ownership may be by a public or private corporation.

SECTION 11.70 COMMON OPEN SPACE:

A minimum of twenty (20) percent of the land developed in any planned unit development project shall be reserved for common open space and recreational facilities for the residents or users of the area being developed. The open space shall be disposed of as required in this Ordinance.

SECTION 11.80 DISPOSITION OF OPEN SPACE:

The required amount of common open space land reserved under a planned unit development shall either be held in corporate ownership by owners of the project area for the use of each owner who buys property within the development or be dedicated to the Township and retained as common open space for parks, recreation, and related uses. All land dedicated to the Township must meet the Planning Commission's requirements as to size, shape, and location. Public utility and similar easements and rights-of-way for water courses and other similar channels are not acceptable for common open space dedication to the Township unless such land or right-of-way is usable as a trail or other similar purpose and approved by the Planning Commission.

The responsibility for the maintenance of all open spaces shall be specified by the developer before approval of the final development plan.

SECTION 11.90 UTILITY REQUIREMENTS:

Underground utilities, including telephone and electrical systems, are required within the limits of all planned unit developments. Appurtenances to these systems which can be effectively screened

may be excepted from this requirement if the Planning Commission finds that such exemption will not violate the intent or character of the proposed planned unit development.

SECTION 11.100 BUILDING SITE AREA PER SINGLE FAMILY DWELLING:

- 11.100.1 In platted area or site condominium projects, the building site area per dwelling unit may be reduced by not more than forty (40) percent of the minimum building site area required in the Schedule of Regulations.
- 11.100.2 Building site widths may be varied to allow for a variety of structural designs. It is also recommended that setbacks be varied.
- 11.100.3 Densities may not exceed 150% of that which is permitted in the existing zoning district.

SECTION 11.110 BUILDINGS SITES TO ABUT UPON COMMON OPEN SPACE:

Every property developed under the planned unit development approach should be designed to abut upon common open space or similar areas. A clustering of dwellings is encouraged. In areas where town houses are used, there shall be no more than eight (8) town house units in any contiguous group.

SECTION 11.120 YARD MODIFICATION:

For each foot of building height over the maximum height regulations, the distance between such buildings and the side and rear property lines of the planned unit development project area shall be increased by a one (1) foot addition to the side and rear yard required in the districts.

SECTION 11.130 PARKING:

Off-street parking, loading, and service areas shall be provided in accordance with Article IX of this Ordinance. However, off-street parking and loading areas shall not be permitted within fifteen (15) feet of any residential use.

SECTION 11.140 PERIMETER SETBACKS:

Except for the provisions of Section 11.120, every building site abutting the perimeter of the planned unit development district shall maintain all setback requirements for the applicable conventional zoning district.

SECTION 11.150 ARRANGEMENT OF COMMERCIAL USES:

When planned unit development districts include commercial uses, commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. Planting screens or fences shall be provided on the perimeter of the commercial areas abutting residential areas.

The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding noncommercial areas.

All areas designed for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner as specified by this ordinance.

SECTION 11.160 PROCEDURE FOR APPROVAL OF PUD DISTRICT:

Planned unit development districts shall be approved in accordance with the procedures in Sections 11.180 - 11.240.

SECTION 11.170 PRE-APPLICATION MEETING:

The developer shall meet with the Township Supervisor and Planning Commission prior to the submission of the preliminary development plan. The purpose of this meeting is to discuss early and informally the purpose and effect of this Ordinance and the criteria and standards contained herein, and to familiarize the developer with the policies contained in the Townships Land Use Plan.

SECTION 11.180 CONTENTS OF APPLICATION FOR APPROVAL OF PRELIMINARY DEVELOPMENT PLAN:

An application for preliminary planned unit development shall be filed with the Township Clerk by at least one owner or lessee of property for which the planned unit development is proposed. At a minimum, the application shall contain the following information submitted with fifteen (15) copies:

- 11.180.1. Name, address, and phone number of applicant.
- 11.180.2. Name, address, and phone number of registered surveyor, registered engineer, and/or site designer assisting in the preparation of the preliminary development plan.
- 11.180.3. Legal description of property.
- 11.180.4. Description of existing use.
- 11.180.5. Zoning district(s).
- 11.180.6. A vicinity map at a scale approved by the Planning Commission, showing property lines, streets, existing and proposed zoning, and such other items as the Planning Commission may require to show the relationship of the planned unit development to the land use and to existing schools and other community facilities and services.
- 11.180.7. A preliminary development plan at a scale approved by the Planning Commission showing topography at two (2) foot intervals; location and type of residential, commercial, and industrial land uses; layout, dimensions, and names of existing and proposed streets, rights-of-way, utility easements, parks and community spaces; layout and dimensions of lots and building setback lines; preliminary improvement drawings showing water, sewer, drainage, electricity, telephone, and natural gas; and such other characteristics as the Planning Commission deems necessary.
- 11.180.8. Proposed schedule for the development of the site.
- 11.180.9. Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within two (2) years.

The application for preliminary planned unit development shall be accompanied by a written statement by the developer setting forth the reasons why the planned unit development would be in the public interest and would be consistent with the Township's statement of objectives for planned unit developments in Section 11.10 of this Ordinance.

SECTION 11.190 PUBLIC HEARING BY PLANNING COMMISSION:

Within thirty (30) days after receipt of the preliminary development plan, the Planning Commission shall hold a public hearing.

SECTION 11.200 NOTICE OF PUBLIC HEARING BY PLANNING COMMISSION IN NEWSPAPER:

Before holding the public hearing provided in Section 11.190, notice of such hearing shall be given in accordance with the Township Rural Zoning Act, as amended. The notice shall set forth the time and place of the public hearing and a general description of the planned unit development.

SECTION 11.210 NOTICE TO PROPERTY OWNERS BY PLANNING COMMISSION:

Before holding the public hearing required in Section 11.190, written notice of such hearing shall be sent by the Township Clerk by first class mail, at least twenty (20) days before the hearing, to all owners of property contiguous to or directly across the street from the area proposed to be included within the planned unit development district. The failure to deliver the notice, as provided in this section, shall not invalidate any such approval. The notice shall contain the same information as required of notices published in newspapers as specified in Section 11.200.

SECTION 11.220 APPROVAL IN PRINCIPLE BY PLANNING COMMISSION:

Within thirty (30) days after the public hearing required by Section 11.190, the Planning Commission shall review the preliminary development plan to determine if it is consistent with the intent and purpose of this Ordinance; whether the proposed development advances the general welfare of the community and neighborhood; and whether the benefits, combination of various land uses, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations. The Planning Commission's approval in principle of the preliminary development plan shall be necessary before an applicant may submit a final development plan. Approval in principle shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility.

SECTION 11.230 FINAL DEVELOPMENT PLAN:

After approval in principle of the preliminary development plan, the developer shall submit a final development plan to the Planning Commission. The final development plan shall be in general conformance with the preliminary development plan approved in principle. Five (5) copies of the final development plan shall be submitted and may be endorsed by a qualified professional team which should include a registered land surveyor, registered civil engineer, and registered landscape architect.

SECTION 11.240 CONTENTS OF APPLICATION FOR APPROVAL OF FINAL DEVELOPMENT PLAN:

An application for approval of the final development plan shall be filed with the Township Clerk by at least one (1) owner or lessee of property for which the planned unit development is proposed. Each application shall be signed by the owner or lessee, attesting to the truth and exactness of all information supplied on the application for final development plan. Each application shall clearly state that the approval shall expire and may be revoked if construction on the project has not begun within two (2) years from the date of issuance of the approval. At a minimum, the application shall contain the following information:

- 11.240.1 A survey of the proposed development site, showing the dimensions and bearings of the property lines, area in acres, topography, existing features of the development site, including major wooded areas, structures, streets, easements, utility lines, and land uses.
- 11.240.2 All the information required on the preliminary development plan; the location and sizes of lots, location and proposed density of dwelling units, nonresidential building intensity, and land use considered suitable for adjacent properties.
- 11.240.3 A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres in the proposed project for various uses, the number of housing units proposed by type, estimated residential population by type of housing; estimated nonresidential population; anticipated timing for each unit; and standards for height, open space, building density, parking areas, population density and public improvements proposed for each unit of the development whenever the applicant proposes an exception from standard zoning districts or other ordinances governing development.
- 11.240.4 Engineering feasibility studies and plans showing, as necessary, water, sewer, drainage, electricity, telephone, and natural gas installations; waste disposal facilities; street improvements, and nature and extent of earth work required for site preparation and development.
- 11.240.5 Site plan, showing building(s), various functional use areas, circulation, and their relationship.
- 11.240.6 Preliminary building plans, including floor plans and exterior elevations.
- 11.240.7 Landscaping plans.
- 11.240.8 Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land and the improvements thereon, including those areas which are to be commonly owned and maintained.

SECTION 11.250 PUBLIC HEARING BY PLANNING COMMISSION:

Within thirty (30) days after submission of the final development plan, the Planning Commission may hold a public hearing. If a second public hearing is held, notice shall be given as specified in Sections 11.200 and 11.210.

SECTION 11.260 RECOMMENDATION BY PLANNING COMMISSION:

Within sixty (60) days after receipt of the final development plan, the Planning Commission shall recommend to the Township Board that the final development plan be approved as presented, approved with supplementary conditions, or disapproved. The Planning Commission shall then transmit all papers constituting the record and the recommendations to the Township Board.

SECTION 11.270 CRITERIA FOR RECOMMENDATIONS BY PLANNING COMMISSION:

Before making its recommendation as required in Section 11.260, the Planning Commission shall find that the facts submitted with the application and presented at the public hearing establish that:

- 11.270.1 The proposed development can be initiated within two (2) years of the date of approval.
- 11.270.2 Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under standard district regulations.
- 11.270.3 The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and emergency vehicles and increased densities will not generate traffic in such amounts as to overload the street network outside the planned unit development.
- 11.270.4 Any proposed commercial development can be justified at the locations proposed.
- 11.270.5 Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accord with the planned unit development and the adopted policy of the Planning Commission and the Township Board.
- 11.270.6 The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
- 11.270.7 The planned unit development is in general conformance with the land use plan of the Township.
- 11.270.8 The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.

SECTION 11.280 ACTION BY TOWNSHIP BOARD:

Within sixty (60) days after receipt of the final recommendation of the Planning Commission, the Township Board shall either approve, approve with supplementary conditions, or disapprove the application as presented. If the application is either approved or approved with conditions, the Township Board shall direct the Township Building Inspector to issue building permits only in accordance with the approved final development plan and the supplementary conditions attached thereto.

SECTION 11.290 SUPPLEMENTARY CONDITIONS AND SAFEGUARDS:

In approving any planned unit development district, the Township Board may prescribe appropriate conditions and safeguards such as performance bonds or escrow accounts in conformity with this Ordinance. Violation of such conditions or safeguards, when made a part of the terms under which the final development plan is approved, shall be deemed a violation of this ordinance.

SECTION 11.300 EXPIRATION AND EXTENSION OF APPROVAL PERIOD:

The approval of a final development plan for a planned unit development district shall be for a period not to exceed two (2) years to allow for preparation and recording of the required subdivision plat and the development of the project. If no construction has begun within two (2) years after approval is granted, the approved final development plan shall be void and the land shall revert to the district regulations in which it is located. An extension of the time limit or modification of the approved final development plan may be approved if the Planning Commission finds that such extension or modification is not in conflict with the public interest.

No zoning amendment passed during the time period granted for the approved final development plan shall in any way affect the terms under which approval of the planned unit development was granted.

SECTION 11.310 CLUSTER HOUSING PROVISION FOR SMALL PARCELS:

On parcels less than five (5) acres, the PUD provision can be utilized. The purpose of this provision is to encourage innovative residential development on small, irregularly shaped parcels that have limited potential for platting. The development shall be limited to single family attached or detached dwellings and the density shall not exceed that which is permitted by the existing zoning district. The parcel under consideration for this Cluster Housing Provision shall have a minimum frontage of 66 feet on a public street.

The developer shall have a pre-application meeting as specified in Section 11.170. The developer shall submit an application the contents of which are specified in Section 11.180. The Planning Commission shall hold one public hearing in accordance with Section 11.190 and recommend to the Township Board, approval, approval with conditions, or denial of the application within 30 days of review. Criteria for the Planning Commission's recommendation shall be:

- 11.310.1. The area surrounding said development can be planned and developed in coordination and substantial compatibility with the proposed development; and
- 11.310.2. The planned development is in general conformance with the land use plan for the Township; and
- 11.310.3. The planned development will not generate traffic in such amounts as to have a significant negative impact on adjacent properties.

Within 60 days of receipt of the recommendation of the Planning Commission, the Township Board shall either approve, approve with conditions, or deny the application. Supplementary conditions and safeguards as specified in Section 11.290 may also apply.