

ARTICLE 15.00

PUD, PLANNED UNIT DEVELOPMENT DISTRICT

Section 15.01 Statement of Intent

The intent of this chapter is to provide, through the use of the planned unit development (PUD) concept, an added degree of flexibility in the density, placement, bulk and interrelation of buildings and uses within all zoning districts, except the Residential Manufactured Housing Park District, and the implementation of new design concepts so as to encourage a more efficient and innovative use of land and public services and the preservation of natural features through the use of a unified, flexible, planning approach, while at the same time maintaining adequate amounts of light, air, access and required open space and facilitating the economical provisions of public services and utilities. To further this intent, the respective district regulations may be waived by the Township Board, as part of a PUD, after recommendation of the Planning Commission and as provided for in this chapter. The general boundaries of any PUD approved by the Township Board shall be indicated on the Zoning Map as information for zoning purposes.

Section 15.02 Qualifying Conditions

The following provisions shall apply to all planned unit developments:

- A. The planned unit development site shall be under the control of one (1) owner or group of owners and shall be capable of being planned and developed as one (1) integral unit.
- B. A PUD zoning classification may only be approved in conjunction with either an approved overall PUD concept plan or an approved PUD site plan.

Section 15.03 Applications for Approval

The application process for a PUD involves a three (3) step process including an optional pre-application conference, preliminary site plan review and final site plan review by the Planning Commission and recommendation to the Township Board. The Township Board may also approve a preliminary PUD concept plan for those projects having multiple phases. The following procedure shall be followed when applying for planned unit development (PUD) approval:

- A. **Optional Pre-application Conference.**
Before submitting an application for approval of a PUD, the applicant may confer in a pre-application conference with the Township Planner, the Engineer, the Building Official, and the Fire Department to obtain information and guidance regarding land development regulations, the Township's Master Plan, and the application process. At the pre-application conference the applicant shall submit a preliminary sketch plan for the proposed PUD, containing both maps and a written statement. All maps shall show enough of the surrounding area to demonstrate the relationship of the PUD to adjoining uses, both existing and proposed. The maps that are a part of the preliminary sketch plan may be in general schematic form but must contain enough information to obtain feedback from Township officials and consultants.

B. Contents of Preliminary PUD Plan.

Upon completion of the pre-application conference stage, a preliminary PUD application shall be submitted to the Planning Commission for its review. At a minimum, the preliminary PUD plan shall contain the following information:

1. Name, address, and phone number of applicant.
2. Name, address, and phone number of Michigan registered surveyor, civil engineer, architect, landscape architect, or community planner who prepared the preliminary plan.
3. Legal description of the property.
4. Description of existing and proposed use(s).
5. A vicinity map at a scale no greater than one to one thousand (1:1000) feet showing property lines, streets, existing and proposed zoning, and such other items as the Planning Commission may require showing how the proposed development relates to adjacent land uses.
6. A preliminary development plan at a scale approved by the 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 improvements drawings showing water, sewer, drainage, electricity, telephone, and natural gas; and such other information as the Planning Commission deems necessary.
7. Proposed schedule for the development of the site.

C. Public Hearing by Planning Commission.

Within thirty (30) days of receipt of a complete application for approval of a preliminary PUD plan the Planning Commission shall hold a public hearing. Notice of the public hearing shall be in accordance with Section 18.03.E.

D. Planning Commission Review of Preliminary PUD Plan.

Within thirty (30) days after the public hearing, the Planning Commission shall review the preliminary plan to determine if it is consistent with the intent and purposes 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 may extend the thirty (30) day review time of the preliminary plan by an additional sixty (60) days if it feels that additional time is necessary to grant approval in principle. The Commission's approval in principle of the preliminary development plan shall be necessary before an applicant submits a final development plan. Approval in principle shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility.

E. Planning Commission Review of Final PUD Plan.

Within one (1) year of approval in principle of the preliminary plan, the developer shall submit a final PUD plan to the Planning Commission. Failure to submit a final PUD plan in a timely fashion will render previous approval of the preliminary plan null and void. The final plan shall be in general conformance with the preliminary plan approved in principle. The Planning Commission shall take action on the request for final PUD plan

approval within forty five (45) days of receipt of a complete final PUD plan application, in accordance with Section 22.03.F.

F. Final PUD Plan Submittal Requirements.

The final PUD site plan shall include all the following information:

1. Application form and required fee.
2. A narrative indicating the period of time within which the project will be completed.
3. Building footprints, setbacks, floor plans and elevations showing height and materials for all proposed structures; typical layout for condominium projects.
4. Proposed locations of utility services (with sizes), noting which will remain and which are to be removed, including storm drainage, sanitary/storm sewer, fire hydrants, and any public or private easements.
5. General description and location of stormwater management system including pre- and post-site development run-off calculations used for determination of stormwater management.
6. A landscape plan indicating proposed plant locations with common plant name, number, and size at installation. Berms, retaining walls or fences shall be shown with elevations from the surrounding average grade.
7. A site grading plan with existing and proposed topography at a minimum of two-foot contour intervals and with topography extending a minimum of fifty (50) feet beyond the site in all directions and further where required to indicate stormwater run-off into an approved drain or detention/retention pond.
8. Locations of significant natural, historical, and architectural features, including landmark trees, which will be designated “to remain,” and/or location and acreage of areas “not to be disturbed;” noting protection method such as a fence, barrier or police line installed prior to site preparation.
9. Location and method of screening for all refuse storage stations/dumpsters.
10. Location and dimensions of parking spaces, loading/unloading areas, and calculations to meet the parking requirements.
11. Details of exterior lighting including locations, height, method of shielding.
12. Locations of all signs including:
 - a) Location, type, height, and method of lighting for identification signs;
 - b) Location and type of any directional or regulatory/traffic control signs, with details for any sign not conforming to the Michigan Manual of Uniform Traffic Control Devices.
13. Details of site circulation and access design, including:
 - a) Indication of street pavement widths and pavement type;
 - b) Street horizontal and vertical dimensions, including curve radii;
 - c) Dimensions of access points, including deceleration or passing lanes, distance from adjacent driveways or intersection streets, including those across a street;
 - d) Identification of width and material to be used for pedestrian paths.
14. Written verification of access easements or agreements, if applicable.
15. A note on each plan sheet stating, “Not to be used as construction drawings.”
16. Any additional graphics or written materials requested by the Planning Commission to assist in determining the impacts of the proposed site plan, including, but not limited to, economic or market studies; impact on public primary and secondary

schools and utilities; traffic impacts; impact on significant natural, historical, and architectural features and drainage; impact on the general area and adjacent property; and estimated construction cost.

17. The following information shall be submitted as a part of an application for permission to commence any type of development within a one hundred year floodplain:
 - a) The elevation in relation to mean sea level of the floor, including basement, of all structures;
 - b) A description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
 - c) Proof of development permission from appropriate local, state, and federal agencies including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under authority of Act 245 of the Public Acts of 1929, as amended by Act 167 of the Public Acts of 1968, the Flood Plain Regulatory Authority;
 - d) Base flood elevation data where the proposed development is subject to Act 288 of the Public Acts of 1967, the Subdivision Control Act as amended, or greater than five (5) acres in size; and
 - e) Additional information that may be reasonably necessary to determine compliance with the provisions of this chapter.

G. Standards for Approval of Final PUD Plan.

Based upon the following standards, the Planning Commission shall deny, approve, or approve with conditions, the proposed planned unit development.

1. The Planning Commission shall use the standards for approval of Section 18.02.G, Site Plan Review and may also utilize the standards for approval of Section 18.03.F Required Standards and Findings, should such standards be deemed necessary by the Planning Commission.
2. The applicant must demonstrate in writing that the proposed PUD:
 - a) Is recommended for planned unit development on the Township's adopted Future Land Use map or other map; and/or,
 - b) Includes areas having significant natural, historical, and architectural features; and/or,
 - c) Will provide a complementary mixture of uses or housing types, or clustering of units to preserve common open space, in a design not possible under the underlying zoning district dimensional regulations; and/or,
 - d) Will achieve a higher quality development than is otherwise possible with the regulations for the underlying zoning district. It is not the intent of the PUD to circumvent the requirements of the underlying zoning district.
3. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare, or convenience, on present and future potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation system, surrounding properties, or the environment. The public benefit shall be one that could not be achieved under the regulations of the underlying district alone, or that of any other zoning district.
4. The number and dimensions of off-street parking shall be sufficient to meet the minimum required by the ordinances of the Township. However, if warranted by

- overlapping or other parking arrangements, the Planning Commission may reduce the required number of parking spaces.
5. All streets and parking areas within the planned unit development shall meet the minimum construction and other requirements of Township Ordinances, unless modified by the Planning Commission.
 6. Extensive landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
 7. Judicious effort shall be used to preserve significant natural, historical, and architectural features and the integrity of the land.
 8. Public water and sewer facilities shall be available or shall be provided for by the developer as part of the site development.
 9. Safe, convenient, uncongested, and well defined vehicular and pedestrian circulation within and to the site shall be provided.
 10. Drives, streets, and other elements shall be designed to discourage traffic, while promoting safe and efficient traffic operations within the site and at its access points.
 11. The uses proposed shall be consistent with the Township's Master Plan or an approved overall PUD concept plan.
 12. Sidewalks shall be provided along all public rights-of-way and private street easements.

The Planning Commission shall prepare a report stating its conclusions on the PUD request, the basis for its decision, the decision, and any conditions relating to an affirmative decision.

H. **Status of Planning Commission Approval.**

Approval of a PUD application by Planning Commission confers on the applicant and any subsequent owners of the PUD property the right to utilize the property included as part of the approved PUD in accordance with the overall density, dwelling unit mix and final plan of the approved PUD. However, for the total PUD or for each portion of the PUD, if staging of development is planned, a site plan review is required for each phase in accordance with Section 18.02, Site Plan Review, prior to the issuance of building permits, and for any portion of the PUD having an approved site plan, in accordance with said Section 18.02, the approved site plan shall take precedence over the approved PUD preliminary concept plan for the area of the approved site plan.

I. **Signed Agreement.**

If the application and site plan are approved by the Planning Commission, the applicant and all owner(s) of record or the legal representative of the owner(s) of record of all property included within the planned development shall then sign an agreement that the approved application and site plan, and the conditions of approval, shall be binding upon the applicant and owner(s) of record and upon their heirs, successors, and assigns. Such agreement shall be reviewed and approved by the Township Board. The application and site plan shall not be officially approved, nor may the building permit be issued, until said agreement has been signed as required herein and has been received by the Township Clerk.

J. Revocation or Changes.

The Planning Commission may revoke a PUD or any portion thereof in instances where substantial construction activity has not been ongoing anywhere within the PUD within a three (3) year period. Revocation of any portion of a PUD reverts that portion of the PUD to the status and requirements of the original zoned district, without benefit of the PUD provisions. Proposed changes in a PUD, other than those considered a part of site plan review for all or a portion of the PUD, must be processed in the same manner as the original PUD procedure. The Planning Commission shall give notice of intention to revoke such approval at least ten (10) days prior to review by the Planning Commission.