

## ARTICLE 14 PLANNED UNIT DEVELOPMENTS

### **SECTION 1400 PURPOSE AND APPLICABILITY**

1. The purpose of these regulations is to permit greater flexibility and consequently, more creative and imaginative design in the development of residential areas than is generally possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, the integration of necessary commercial and community facilities, the preservation of open space for parks and recreational use, and the retention of natural features.
2. A Planned Unit Development is a distinctive use of property. It shall therefore be governed only by the provisions of this Article and not by any other provision of this amended Ordinance, anything in this amended Ordinance to the contrary notwithstanding.
3. In addition to the general requirements, section 1401 of this amended Ordinance, a Planned Unit Development shall conform to and be in accordance with the Michigan Zoning Enabling Act #110 of 2006, Article V, 125.3503, Section 503.

### **SECTION 1401 GENERAL REQUIREMENTS**

Port Austin Township requires that the following conditions describe any parcel considered Planned Unit Development:

1. The tract of land for a project must be either in one ownership or the subject of a request filed jointly by the owners of all properties included. The holder of a written option to purchase land or the holder of an executory land contract shall for the purposes of such request be deemed to be an owner of such land.
2. A Planned Unit Development shall be allowed only within residential districts where the applicant can demonstrate that the proposed character of development will meet the purpose of a Planned Unit Development.
3. Land use need not be uniform in all respects.
4. Public water, sanitary sewer and storm water drainage facilities shall be provided as part of the site development. All interior electric, cable and phone transmission wires shall be placed underground.
5. Approval by the Planning Commission of a sketch plan and detailed site plan is required.

### **SECTION 1402 PERMITTED USES**

No structure of part thereof shall be erected, altered or used nor shall any land be used except for one or more of the following, regardless of the zoning district in which the same is located:

1. All residential uses.
2. Commercial uses designed and intended to serve the needs of the people residing in the Planned Unit Development including but not limited to the following:

- a. Bakeries (retail only).
  - b. Banks and financial institutions.
  - c. Barber or beauty shops.
  - d. Book and stationary stores.
  - e. Drug stores.
  - f. Dry cleaning (pickup or coin operated only).
  - g. Florist and garden shops.
  - h. Food stores.
  - i. Hardware stores.
  - j. Medical Facilities such as clinics, offices and hospitals.
  - k. Post Office.
  - l. Professional Offices.
  - m. Private clubs, excepting those of which the primary activity is a service customarily carried on as a business.
  - n. Shoe sales and repair stores.
  - o. Variety stores.
  - p. Wearing apparel shops.
  - q. Full course menu, table top, indoor restaurants conforming in appearance to a residence which provide no "drive-in", "short-order" or "car service" food or drink facility. Alcoholic beverages may be served incidental to the sale of the food.
3. Accessory and associated uses designed and intended to serve the needs of the people residing in the Planned Unit Development including, but not limited to:
- a. Churches.
  - b. Elementary and secondary schools.
  - c. Private garages.
  - d. Recreational play areas.
  - e. Storage sheds.

### **SECTION 1403 DESIGN REQUIREMENTS**

Within a Planned Unit Development approved under this Article, the following requirements shall apply in lieu of any conflicting regulations applicable to the district in which the development is located:

- 1. The maximum number of dwelling units permitted within the project shall be determined by dividing the net Planned Unit Development area by the minimum residential lot area per dwelling unit required by the district in which the project is located. In the event the project lies in more than one zoning district, the number of dwelling units shall be computed for each district separately.
- 2. The minimum setback and yard or open space requirements for buildings and structures may be reduced or increased at the discretion of the Planning Commission to avoid unnecessary disruption of the environment where reasonable equivalent open space is provided elsewhere upon the site.
- 3. A screening area may be required by the Planning Commission along the perimeter of the development if deemed necessary to protect the values of adjoining property under separate ownership.
- 4. Within every Planned Unit Development there shall be planned and set aside permanently, as part of the total development, an amount of open space at least equal to the aggregate accumulation of lot size reduction below the minimum lot area for the development as a whole. Before accepting the open space as meeting the requirements of this provision, the Planning Commission must find the land thus designated sufficient in size, suitably located, with adequate access. Evidence shall be provided that satisfactory arrangements will be made for the maintenance of such designated land so as to relieve the Township of any future maintenance.

5. All required open space within a Planned Unit Development shall be arranged so as to provide access and benefit to the maximum number of lots and or dwelling units. Separate tracts of open space shall have adequate access from at least one point along a public street.

## **SECTION 1404 PROCEDURE**

Whenever any Planned Unit Development is proposed, before any Township Permit is granted, the developer shall apply for and secure approval from the Planning Commission and the Township Board. Approval of a Planned Unit Development shall not constitute a change in the underlying zoning classification of a subject site; however once approved, a Planned Unit Development permit shall be considered permanently attached to the subject site.

1. In order to allow the Planning Commission and the developer to reach an understanding of basic design requirements prior to detail site design investment, the developer shall submit a sketch plan of the proposal to the Planning Commission with the applicable fee. The sketch plan shall be drawn to scale and clearly show the following information:
  - a. Boundaries of the property.
  - b. Location and height of all buildings and structures.
  - c. Interior roadway system, parking facilities and all existing right-of-ways and easements, whether public or private.
  - d. Delineation of the various residential and or commercial areas indicating for each such area its size, number of buildings, structures and composition in terms of total number of dwelling units. Approximate percentage allocation by dwelling unit type plus a calculation of the net residential density and commercial density.
  - e. The interior open space system.
  - f. The overall storm water drainage system.
  - g. If grades exceed 30 percent on portions of the site, have a moderate to high susceptibility to erosion or a moderate to high susceptibility to flooding and or ponding, an overlay outlining the above susceptible soil areas shall be provided.
  - h. Principal ties to the neighborhood and community with respect to transportation, water supply and sewage disposal.
  - i. General description of the provision of other community facilities, such as schools, recreational facilities, fire protection services, and cultural facilities, if any, and some indication of how these needs are proposed to be accommodated.
  - j. A location map showing uses and ownership of abutting lands.
2. In addition, the following documentation shall accompany the sketch plan:
  - a. A statement that the proposal is compatible with the goals and objectives of the Township Master Plan.
  - b. A statement explaining how common open space is to be owned and maintained.
  - c. If the development is to be constructed in phases, an indication of the sequence of phases shall be shown.
3. The Planning Commission shall hold a public hearing on an application for a Planned Unit Development in accordance with the procedure outlined in Article 3 Section 302 Special Use Approval with notice of the hearing as therein provided.
4. Following the public hearing, the Planning Commission shall, within 60 days, approve or disapprove the sketch plan or require modifications and notify the applicant of its decision.
5. Approval of a sketch plan shall not constitute approval of the detailed Site Plan, but shall be deemed an expression of approval of the conceptual layout as a guide to the preparation of the detailed Site Plan.

6. If it becomes apparent that certain elements of the sketch plan, as approved by the Planning Commission are not feasible and need modifications, the applicant shall then resubmit his entire sketch plan, as amended, to the Planning Commission pursuant to the above procedure.
7. After receiving approval from the Planning Commission of a sketch plan, the applicant may prepare a detailed Site Plan and submit it to the Planning Commission for approval.