

Article 23: Planned Unit Development Option

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ARTICLE XXIII

PLANNED UNIT DEVELOPMENT OPTION

PURPOSE

It is intended by the Township that uses of high intensity shall be located in areas which will not adversely impact the orderly development of existing or future residential areas. Commercial, office, research, testing and residential uses in structures beyond two (2) and two and one-half (2 ½) stories in height are more urban in nature and, therefore, could be in conflict with a specific development area and the general character of the Charter Township of Plymouth, if not properly regulated in regard to location, relationship to adjacent land uses and development requirements. The Township has provided a MR Mid-Rise District to provide for locations for these higher intensity uses, separately or in combination, in areas which will not impact the existing or future land uses of adjacent properties and the Township as a whole.

The Township recognizes that within the C-2 District, IND, Industrial District, OS, Office Service District, OR, Office Research District and TAR, Technology and Research Districts there may be sites which, because of certain existing and specific factors, could be developed as a Planned Unit Development (PUD) beyond the 2 to 2½, stories without negatively impacting adjacent properties and the community as a whole.

It is understood that said developments may be consistent with the planning goals of the Township only in specific locations, under specific conditions, related to height, bulk and location of buildings in accordance with sound planning and site plan principles. It is further the intent that that any uses permitted by this option be compatible and consistent with the availability of utilities, both existing and planned, for the area in which the PUD is proposed.

It is therefore, intended that the PUD option permit flexibility in the regulation of land development, encourage innovation in land use and variety in design, layout and type of structures constructed, achieve economy and efficiency in the use of land, natural resources, energy and the provisions of public services and utilities, encourage useful open space, and provide better housing, employment and shopping opportunities particularly suited to the needs of the residents of the Township of Plymouth in the C-2 District, IND, Industrial District, OS, Office Service District, OR, Office Research District and TAR, Technology and Research District on parcels of five (5) acres or greater where the basic principles set forth in this article are met.

Further, the PUD option shall also be available in the ARC, Ann Arbor Road Corridor District, and OS-ARC, Office Service-Ann Arbor Road Corridor District, subject to certain conditions applicable only to properties located within those districts. The purpose of allowing this flexibility within the Ann Arbor Road Corridor is to:

1. Achieve a higher quality of development than would otherwise be achieved.
2. Encourage assembly of lots and redevelopment of outdated commercial properties.

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3. Encourage in-fill developments on sites that would be difficult to develop according to conventional standards because of lot shape or size, abutting development, accessibility, or other site features.
4. Ensure compatibility of design and function between neighboring properties.
5. Encourage developments in the ARC and OS-ARC Districts on parcels of one (1) acre or greater that are consistent with the Township's Master Plan, the Ann Arbor Road Corridor Plan, the basic principles set forth in this Article and the conditions of Section 23.10B, General Conditions for Sites in the ARC and OS-ARC Districts.

However, it is not intended that the use of the PUD option in the ARC and OS-ARC Districts should detract from the primary function and use of the Ann Arbor Road Corridor as a commercial area, but rather it is intended only to provide some flexibility for limited uses within the Corridor.

SEC. 23.1 STATEMENT OF PRINCIPLES

The PUD is an optional method of development that may be permitted only after review and recommendation by the Planning Commission, public hearing, approval of the Township Board of Trustees after having found that the proposed PUD reflects the following basic principles:

1. The proposal is in conformity with the spirit and intent of the PUD Option as established in the Purpose Section of this article.
2. The site contains natural assets such as large stands of trees, rolling topography, significant views, swale areas, flood plains or wetlands which would be in the best interest of the community to preserve and which would otherwise be substantially destroyed if developed under the specific requirements of the C-2 District, IND, Industrial District, OS, Office Service District, OR, Office Research District and TAR, Technology and Research District. This principle (Section 23.1.2) may not be applicable to potential redevelopment sites in the ARC or OS-ARC Districts, in which case Section 23.1.8 below shall apply. This determination shall be made by the Planning Commission and Township Board after review of a documented site analysis to be submitted by the applicant.
3. The site contains certain existing natural or manmade features which could, with sound site planning, be incorporated into the project to minimize any negative impact the proposed project might have on adjacent properties and the community as a whole.
4. The proposed uses and the location of said uses on the subject property shall be in harmony with the existing and proposed land patterns of adjacent properties, and the general planning area, and shall insure the stability of the orderly development of adjacent lands and the general planning area as indicated by the Future Land Use Plan.

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- 5. The proposed height, bulk, location and character of structures shall be in harmony with the existing and proposed structures of adjacent lands, and the general planning area, and shall insure the stability of the orderly development of adjacent lands and the general planning area as indicated by the Future Land Use Plan.
- 6. The proposed uses and the location of said uses on the subject property shall be such that traffic to and from the site will not be hazardous or adversely impact abutting properties or conflict with the normal traffic flow of the general area. In reviewing this particular aspect, the Commission and the Board shall consider the following:
 - (a) Conflicts with convenient routes for pedestrian traffic, particularly of children.
 - (b) The relationship of the site to major thoroughfares and street intersections.
- 7. The intensity of uses associated with the proposal and such noises, vibrations, odors, glare, reflection of light, heat, hours of operation and other external effects which would normally be a product of the proposed uses, shall be compatible with the existing land uses of the abutting properties and shall insure the stability of the orderly development of same as indicated in the Future Land Use Plan for the Township.
- 8. In the ARC and OS-ARC Districts, the PUD option would facilitate redevelopment of a site which may be aging, functionally obsolete or be such that the Commission finds that redevelopment would create substantial benefit to the Township, consistent with the Master Plan.

SEC. 23.2 CHANGE OF DISTRICT

No application for a PUD Option shall be accepted which will require a zoning district change, unless the application is preceded by an application for a zoning district amendment.

SEC. 23.3 APPLICATION

Application for approval shall be made by the titleholder or titleholders of any tract where use of the Planned Unit Development process is contemplated. The application shall be accompanied by a fee determined by Township Board resolution to cover the cost of evaluating the plan in accordance with the provisions of this Article.

SEC. 23.4 PUD OPTION APPLICATION INFORMATION

Application for approval of a PUD option shall contain sufficient information to evaluate the proposed PUD's consistency with the Section 23.1, Statement of Principles, including the following information:

SEC. 23.2	CHANGE OF DISTRICT
SEC. 23.3	APPLICATION
SEC. 23.4	PUD OPTION APPLICATION INFORMATION

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1. A metes and bounds survey and legal description of the acreage comprising the proposed Planned Unit Development, including a disclosure of mineral rights ownership.
2. Topographic survey, including natural and manmade features at a scale of one inch equals fifty feet (1"=50'), with a contour interval not to exceed two (2) feet.
3. Site analysis, which identifies the character, structure and potential of the site as it relates to this Article, including areas adjacent to the subject property and sufficient information about the nearby properties, so that a determination can be made by the Planning Commission and Board as to the impact of the proposed Planned Unit Development on the general planning area in which the Planned Unit Development is located. The analysis shall include as a minimum the following:
 - (a) Contiguous Land Uses. Indicate type and impact on adjoining lands, direction and distance to community facilities, show public transportation routes related to site.
 - (b) Topography. Indicate basic topography, any unique ground forms and percent of slope.
 - (c) Drainage. Natural watershed (direction), drainage swales and swamp areas.
 - (d) Soils. Depth of topsoil and type of soils.
 - (e) Vegetation . Locate and identify existing tree masses, locate and identify specimen plant material and indicate type of ground cover.
 - (f) Existing conditions. Structures, utilities and circulation.
 - (g) Special Features. Lakes, streams, ponds, floodplains and wetlands, dramatic views and significant natural, archeological, historical or cultural features.
4. A conceptual development plan, which illustrates a the general character of the proposed PUD. The conceptual development plan shall identify the uses proposed and the general location of proposed site improvements such as landscaping, buildings, parking areas, vehicular and pedestrian circulation, open space and any other special features.
5. Other pertinent information necessary to enable the Planning Commission to make a determination concerning the desirability of applying the provisions of this Article.

SEC. 23.5 GENERAL DEVELOPMENT PLAN APPLICATION INFORMATION

Following PUD option approval by the Township Board, a General Development Plan that contains sufficient information to determine the proposed development's conformance to Section 23.10, General Conditions, must be submitted for approval and shall contain the following information:

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1. A general development plan shall contain the same information required for tentative site plan approval as found in Section 29.8.2 of this Ordinance or tentative preliminary plat approval found as found in Chapter 93 of the Township Code of Ordinances.
2. The plan shall indicate the type of uses proposed, their location, the general building masses to include proposed height and relationship to abutting uses, circulation (vehicular and pedestrian), parking, open space, buffer areas (dimension and general treatment proposed as related to site analysis) and any special features. The plan shall be of sufficient detail to define the proposed location of buildings, parking, interior circulation, landscape areas and method of handling storm water run-off, sanitary sewer and water facilities. Additional section sketches, models and graphic information should be submitted to assist the Planning Commission and Board in this review.
3. A written narrative statement describing the proposed PUD, including a description of proposed uses, the architectural theme or style to be followed, the relationship of the PUD to the surrounding area, all anticipated impacts associated with the proposed project and measures to be taken to mitigate or minimize such negative impacts (including any environmental impacts or impacts to off-site traffic conditions). The Township may require a more detailed impacts analysis based on the initial narrative statement.
4. A PUD contract in conformance with Section 23.9
5. If the proposed PUD will be a condominium, the Master Deed and By-laws in conformance with Section 23.12 shall be submitted.
6. The Planning Commission may require the submittal of typical building elevations that identify the general character of proposed buildings.

SEC. 23.6 FINAL DEVELOPMENT PLAN APPLICATION INFORMATION

Information required for final development plan approval shall be the same as required for final site plan approval as found in Section 29.8.2 of this Ordinance or final preliminary plat approval as found in Chapter 93 of the Township Code of Ordinances. The final development plan shall meet all conditions of Township Board approval, and any final requirements determined necessary by provisions of this Ordinance or other applicable Codes and Ordinances, or the criteria for final site plan approval set forth in Section 29.8.2. Final development plan approval shall be further subject to the following:

1. The final site plan or final preliminary plat for a single phase PUD development shall constitute the final development plan. For a multi-phased PUD, where sufficient final detail has not been determined or which is expected to change slightly, the final development plan shall be reviewed and approved as a separate document, and be contingent on approval of the final site plans or final preliminary plats.

SEC. 23.5	GENERAL DEVELOPMENT PLAN APPROVAL INFORMATION
SEC. 23.6	FINAL DEVELOPMENT PLAN APPLICATION INFORMATION

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2. Phasing

Separate final plan approvals may be granted on each phase of an approved multi-phased PUD, subject to the following:

- (a) The approved final development plan for the entire proposed PUD shall be incorporated by reference and as an exhibit of the PUD contract for each phase.
- (b) Each phase shall contain the necessary components to ensure protection of natural resources and the health, safety and welfare of the residents of the surrounding area and users of the Planned Unit Development.
- (c) Each phase shall include all improvements necessary to allow the developed portion of the PUD to function and be occupied independent of improvements associated with future phases.

23.7 PUBLIC HEARING REQUIREMENTS (as amended on 9/30/07)

At least one (1) public hearing shall be held by the Planning Commission on a proposed Planned Unit Development option in order to acquaint the public and adjoining property owners with the proposal prior to furnishing of detailed plans and specifications by the Applicant. Notice of the public hearing shall be published in a newspaper which circulates in the Township, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to who real property is assessed of the property regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. The notice shall:

- 1. Describe the nature of the Planned Unit Development request.
- 2. Indicate the property which is the subject of the Planned Unit Development request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
- 3. State when and where the Planned Unit Development request will be considered.
- 4. Indicate when and where written comments will be received concerning the request.

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SEC. 23.8 PLANNED UNIT DEVELOPMENT APPROVAL PROCESS

1. Planned Unit Development Option

- (a) **Planning Commission Action.** Within a reasonable time following the public hearing, the Planning Commission may, after reviewing the factors outlined in this article and the relationship of the proposed PUD to the intent and purpose of the zoning ordinance, its compatibility with adjacent uses of land, natural environment, and the capability of public services and facilities affected by the proposed PUD, recommend approval, disapproval or approval with conditions regarding applying the PUD Option to the tract of land as described in the survey submitted with the application. The Commission’s recommendations shall be forwarded to the Township Board of Trustees for consideration and action.

- (b) **Township Board Action.** Upon receipt of the recommendations of the Commission, the Township Board shall review the application, recommendations, and shall take action thereupon.

If the Township Board denies the request to apply the provisions of the PUD Option to the parcel of land as described in the survey submitted with the application, it shall record the decision and the basis for the decision in the meeting minutes. In the case of a denial, development of the subject property can be made only in accordance with the provisions of the Zoning Ordinance for the district where the property is located.

If the Township Board approves the request to apply the provisions of the PUD Option to the parcel of land as described in the survey submitted with the application, it shall record the decision and the basis for the decision in the meeting minutes. Approval by the Board shall confer approval to develop the subject property under the requirements of the PUD Option and the conditions established in the site analysis and concept plan.

- 1) **Approval Period:** PUD Option approval by the Board shall grant the applicant a period of one (1) year to submit a general development plan and PUD contract to the Planning Commission for recommendation to the Township Board for final approval.

- 2) **Extensions:** Extensions of PUD Option approval may be granted by the Township Board upon written request of the applicant and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed Planned Unit Development.

- 3) PUD Option approval shall not constitute approval of a preliminary plat, final plat, final site plan, or site condominium plan.

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2. General Development Plan

Within eighteen months of PUD option approval by the Township Board the applicant shall submit and obtain Township Board approval of the general development plan and PUD contract.

- (a) **Planning Commission Action.** The Planning Commission shall review the general development plan for conformance to Section 23.10, General Conditions, and any conditions of PUD option approval and make a recommendation to the Township Board to approve, approve with conditions, or deny the proposed general development plan.
- (b) **Township Board Action.** Upon receipt of the Planning Commission's recommendations of the Commission, the Township Board shall review the general development plan and PUD contract, recommendations, and shall take action thereupon.

If the Township Board denies the general development plan and contract, it shall record the decision and the basis for the decision in the meeting minutes.

If the Township Board approves the general development plan and contract, it shall record the decision and the basis for the decision in the meeting minutes. Approval by the Board shall confer approval to develop the subject property under the requirements of the PUD Option and the conditions established in the site analysis and general development plan

- 1) **Approval Period:** Approval by the Board shall grant the applicant a period of one (1) year to submit a final development plan to the Planning Commission for approval.
- 2) **Extensions:** Extensions of general development plan approval may be granted by the Township Board upon written request of the applicant and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed Planned Unit Development.

3. Final Development Plan

Within eighteen (18) months of general development plan approval by the Township Board the applicant shall submit and obtain Planning Commission approval of a final development plan.

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- (a) Planning Commission Action. The Planning Commission shall review the final development plan for conformance to Section 23.10, General Conditions, and the PUD contract and approve, approve with conditions, or deny the proposed general development plan.
 - 1) Approval Period: Approval by the Planning Commission shall grant the applicant a period of one (1) year to obtain a Building Permit from the Building Department.
 - 2) Extensions: Extensions of final development plan approval may be granted by the Planning Commission upon written request of the applicant and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed Planned Unit Development.

SEC. 23.9 CONTRACT REQUIREMENTS

Prior to or in conjunction with the submission of a general development plan, the applicant shall submit to the Planning Commission for recommendation and to the Township Board for approval a proposed contract setting forth the conditions upon which approval of the Planned Unit Development is based. After review by the Planning Commission and approval by the Township Board, the contract shall be entered into between the Township and the applicant. The contract shall be entered into between the Township and the applicant prior to the approval of any final plat, final site plan or final condominium site plan. Said contract shall provide:

- 1. The manner of ownership of the land, including mineral rights.
- 2. The manner of the ownership and of the dedication of the common open space or parks.
- 3. The restrictive covenants required for membership rights and privileges, maintenance and obligation to pay assessments for the common open land, parks or other features.
- 4. The stipulations pertaining to commencement and completion of the phases of the development, to construction, installation, repairs and maintenance of improvements, to obligations for payment of any costs, expenses or fees planned or reasonably foreseen, and to the manner of assuring payment of obligations.
- 5. Provisions for the Township to effect construction, installation, repairs and maintenance and use of public utilities, storm and sanitary sewers and drainageways, water, streets, sidewalks and lighting, and of the open land and improvements thereon, and any other conditions of the plan, and the manner for the assessment and enforcement of assessments for the costs, expenses, or fees incidental thereto against the applicant, or the future owners or occupants of the Planned Unit Development.
- 6. The site analysis, general development plan and final development plan shall be incorporated by reference and attached as an exhibit.

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7. Provisions reasonably and necessarily intended to affect the intent of this Article, or the conditions of the approval of the plan for the public health, safety, morals, and general welfare of the Township.

SEC. 23.10 GENERAL CONDITIONS: SITES IN THE C-2, IND, OS, OR AND TAR ZONING DISTRICTS

1. The following uses (separate or in combination) may be permitted in a PUD upon determination by the Commission and the Board that the proposed uses meet the criteria established in the Purpose and Statement of Principles Sections of this Article.

(a) Office uses, including the following:

- 1) Medical and dental offices and clinics, excluding veterinary clinics.
- 2) Professional, administrative, executive and editorial offices.
- 3) Real estate and other general business offices.
- 4) Schools for arts and crafts, photography and studios for music or dancing.

(b) Commercial uses, including the following:

- 1) Department stores and specialty shops.
- 2) Retail establishments whose principal activity is the sale of merchandise in an enclosed building; outdoor storage or display is prohibited.
- 3) Hotels and motels subject to the following:
 - a) Each unit shall contain not less than two hundred fifty (250) square feet of floor area.
 - b) Kitchen or cooking facilities may be provided in new motels or hotels upon demonstration by the applicant that the provisions of all applicable fire prevention and building codes have been met. No existing motel units shall be converted for use of cooking and/or kitchen facilities unless the applicant can demonstrate compliance with all applicable fire prevention and building codes and obtains a certificate of occupancy for each unit being converted.
 - c) Where a unit is provided as a residence for the owner or the manager, the following minimum floor area requirements shall be

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provided: one (1) bedroom unit, 600 square feet; two (2) bedroom unit, 800 square feet; three (3) bedroom unit, 1,000 square feet; four (4) bedroom unit, 1,200 square feet.

- 4) Facilities such as a restaurant, licensed restaurant or bar, may be permitted in an IND, C-2, OR, TAR and OS District, within the Planned Unit Development. In reviewing this aspect, the Commission and the Board shall find that the proposed restaurant or bar is consistent with the Purpose and Statement of Principles Sections of this Article.
- (c) Research, testing and training uses including industrial or scientific research, development and testing laboratories and offices.
- (d) Residential uses.
- (e) Public, parochial, and private schools, child care centers, churches, libraries, community buildings, hospitals, convalescent homes, mortuaries, and municipal facilities (including park and ride facilities), which meet the definition of “large scale institutional uses” are permitted in the non-residential section of a PUD, subject to the conditions specified for such uses in Article 28, Special Provisions.
- (f) Outdoor recreational uses, such as golf courses.
- (g) Conference centers may be permitted within a PUD accessory to a permitted use.

2. Site Area and Density Standards

The site area used to determine eligibility of the site for development shall be the gross site area exclusive of public rights-of-way or street setbacks (as specified in Section 28.22) presently or ultimately equal to eighty-six (86) feet in width or greater. Residential density standards are as follows:

- (a) The area used in computing overall residential density shall be the gross site area including any dedicatable interior right-of-way and excluding the following:
 - 1) Public rights-of-way, presently or ultimately equal to eighty-six (86) feet in width or greater.
 - 2) All submerged bottom land of lakes and ponds.
 - 3) Churches, public libraries and schools.
- (b) Where residential uses are incorporated into the PUD, the overall density of the particular area used for residential purposes shall in no case exceed twenty-five (25) dwelling units per acre.

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3. Separation, Height and Setbacks

- (a) The minimum distance between buildings shall equal twenty (20) feet plus four (4) feet for each story of the higher structure plus two (2) feet for each ten (10) feet of length of the facing wall of the higher structure provided that no part of a structure in a building group shall be less than thirty-five (35) feet from any other structure. In reviewing the spacing between buildings, the Commission and Board shall ensure that the spacing proposed shall provide for adequate light and air to each structure and that, in the case of residential units, privacy within and between units is maintained.
- (b) The maximum height of structures shall be reviewed on the basis of the PUD proposed and the principles established in the purpose and statement of principles Sections of this Article. In no case shall the height of structures be permitted to exceed nine (9) stories.
- (c) A perimeter yard setback of fifty (50) feet shall be provided for a three (3) story building. The perimeter yard setback shall increase five (5) feet for each story in excess of three (3) stories. Where the PUD abuts a public right-of-way no parking shall be permitted within the first forty (40) feet of the perimeter setback. This forty (40) foot area shall be landscaped. Where the PUD abuts an existing or proposed land use of less intensity, the setback requirement may be increased by the Planning Commission and additional buffer treatment (in the form of tree plantings and/or screening walls) may be required by the Commission and Board.

The Commission shall have the authority to vary the specific requirements of this Section, provided that the alternative proposed by the applicant is in accordance with the spirit and intent of this Article and the Ordinance as a whole.

(as amended 10/25/07)

- (d) The minimum building setback in a PUD shall be 50 feet from any perimeter property line or street setback line of the development parcel. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line. In no case shall the building setback be less than 35 feet.
- (e) Where a building in a PUD sides to the right-of-way of a road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting the same road is zoned single family residential. In no case shall the building setback be less than 25 feet.

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4. Private and Common Open Space Standards

- (a) Private Residential Outdoor Living Space. An individual outdoor living space shall be provided for each residential unit proposed in a PUD Said outdoor living space shall be located adjacent to the unit which it is intended to serve and shall as a minimum provide one-tenth (.1) square foot of area for each square foot of floor space of the unit which it is intended to serve and shall be directly accessible from the dwelling unit. The Commission shall have the authority to vary the specific requirements of this Section, provided that the alternative proposed by the applicant is in accordance with the spirit and intent of this Article and the Ordinance as a whole.
- (b) Common Residential Outdoor Living Space. A minimum of one-tenth (.1) square foot of land per square foot of gross residential floor area shall be provided as common recreation space for the occupants. Common recreation space shall include areas for passive recreation such as outdoor sitting areas and active recreation such as shuffleboard courts, tennis courts, etc. The Commission shall review the proposed location of said recreation areas to determine conformity with the spirit and intent of this Article. Landscaped roof areas which are freely accessible to residents and are in keeping with the quality and character of the project may be included as common residential outdoor living space.
- (c) Preservation of desirable natural site amenities shall be encouraged in PUD developments. Emphasis shall be on preserving trees, waterways, swale areas, scenic points, historic points and other community assets and landmarks.

5. Circulation, Parking and Loading

The exterior and interior vehicular and pedestrian circulation system planned for the proposed PUD shall be in the best interest of the public health, safety and welfare in regards to the general public and the future users of the PUD The circulation systems proposed shall take into consideration the overall circulation of the community as a whole, egress/ingress to the site, vehicular turning movements related to interior circulation, street intersections and street gradients, site distance and potential hazards to the normal flow of traffic.

- (a) In reviewing the proposed interior circulation system for the proposed PUD, the Planning Commission shall determine the necessity for public roads and the potential future extension of such roads to adjacent properties.
- (b) All interior roads (both those designated as public and private) shall be constructed in compliance with current "Subdivision Rules and Regulations" as adopted by the Wayne County Department of Public Services. The Planning

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- (c) Commission or Township Board may waive this requirement after review and recommendation by the Township Planner and Township Engineer provided the proposed variance shall not materially impair the intent and purpose of this Ordinance or the public interest.
- (d) Off-street parking shall be provided for all uses as specified in Article 24 of this ordinance. Mixed uses may have varied demands; therefore, minor variations may occur if justified by the applicant and approved by the Commission and the Board. All parking areas shall be screened from public rights-of-way in a manner acceptable to the Commission and the Board. In general, the screened areas shall not be less than twenty (20) feet in width. Planting islands with trees which meet the standards of Section 26.7.2 shall be incorporated into parking areas. A minimum of one (1) tree shall be provided and incorporated within the parking area for each fifteen (15) parking spaces provided.
- (e) Off-street loading and unloading as specified in Article 24 of this Ordinance. Mixed uses may have varied demands, therefore, minor variations may occur if justified by the applicant and approved by the Commission and the Board.

6. Location and Utilities

- (a) The PUD shall be located, with respect to major streets and highways, so as to provide direct access to the PUD without increasing significantly the amount of traffic along minor streets.
- (b) The PUD shall be so located in relationship to sanitary sewers, water mains, storm and surface drainage systems and other utilities that neither extensions nor enlargement of such systems will be required that would result in a higher net public cost than would ordinarily occur under development within the existing zoning classification provided, however, that the developer may install said facilities at his own expense.
- (c) All utility lines or similar facilities intended to serve any use in a PUD, whether designed for primary service from main lines or for distribution of services throughout the site, shall be placed and maintained underground at all points within the boundaries of the site.

- 7. All proposed signs shall, as a minimum, comply with the requirements of Article 25 of this Ordinance, applicable to the existing zoning of the subject property. All proposed signs shall be subject to review by the Commission as part of the final development plan of the PUD. The Planning Commission, in their review, may modify the specific requirements applicable to the PUD, in order to ensure that all proposed signs are in harmony with the existing land uses of the general area and shall not adversely impact the

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orderly development of adjacent properties, properties of the general area and the PUD project.

8. Elevators shall be required, consistent with the State Construction Code enforced by the Township.

SEC. 23.11 GENERAL CONDITIONS: SITES IN THE ARC AND OS-ARC ZONING DISTRICTS

1. Permitted Uses for Sites in the ARC District

The following uses (separately or in combination) may be permitted in a PUD in the ARC District upon determination by the Planning Commission and the Township Board that the proposed uses meet the criteria established in the Purpose and Statement of Principles Sections of this Article.

(a) Commercial Uses.

- 1) Retail establishments whose principal activity is the sale of merchandise in an enclosed building, including sales of groceries, meats, dairy products, baked goods or other foods, drugs, dry goods and notions or hardware.
- 2) Restaurants, taverns, bars/lounges and other uses serving food and/or alcoholic beverages, where patrons are served while seated within a building occupied by such establishments.

(b) Office Service Uses.

- 1) Administrative, executive and editorial offices.
- 2) Real estate and other general business offices.
- 3) Schools for arts and crafts, photography and studios for music or dancing; training centers, business schools or private schools operated for profit.
- 4) Medical and dental offices and clinics and other professional offices, including veterinary offices and clinics.
- 5) Child care centers, subject to the standards of Section 28.64.
- 6) Business services such as mailing, copying and data processing.
- 7) Banks, credit unions, savings and loan associations and similar financial institutions, with or without drive-through facilities.

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- 8) Commercial, medical and dental laboratories, not including the manufacturing of pharmaceutical or other products for general sale or distribution.
 - 9) Personal service establishments which perform services on the premises such as: shoe repair, dry cleaning shops (without on-site processing), tailors and dressmakers shops, beauty parlors and barbershops, or any service establishment of an office-showroom or workshop nature of an electrician, decorator, dressmaker, tailor, shoemaker, baker, printer, upholsterer, or an establishment doing radio, television or home appliance repair, photographic reproduction, and similar establishments that require a retail adjunct and are of no more objectionable character than the aforementioned, and provided that no more than five (5) persons shall be employed at any time in the fabrication, repair and other processing of goods.
- (c) Residential Uses.
- 1) Townhouse dwellings.
 - 2) Stacked flats.
 - 3) Multiple-family dwellings.
- (d) Institutional Uses.
- 1) Municipal facilities including governmental offices, fire stations, post offices, park and ride facilities, libraries, community buildings and municipal parks and playgrounds, provided such facilities do not meet the definition of “large-scale institutional uses.”
 - 2) Housing for the elderly, including congregate elderly housing, provided that such uses do not meet the definition of “large scale institutional uses.”
 - 3) Churches, temples and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of “large-scale institutional uses.”
 - 4) Public, charter, and private, including parochial, elementary, intermediate and/or secondary schools offering courses in general education, including such facilities meeting the definition of “large-scale institutional uses.”

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2. Permitted Uses for Sites in the OS-ARC District

The following uses (separately or in combination) may be permitted in a PUD in the OS-ARC District upon determination by the Planning Commission and the Township Board that the proposed uses meet the criteria established in the Purpose and Statement of Principles Sections of this Article.

(a) Office Service Uses.

- 1) Medical and dental offices and clinics and other professional offices, including veterinary offices and clinics.
- 2) Administrative, executive and editorial offices.
- 3) Real estate and other general business offices, not including exhibiting or storing of products for sale.
- 4) Banks, credit unions, savings and loan associations and similar financial institutions, with or without drive-through facilities.
- 5) Schools for arts and crafts, photography and studios for music or dancing; training centers, business schools or private schools operated for profit.
- 6) Child care centers, subject to the standards of Section 28.64.
- 7) Commercial, medical and dental laboratories, not including the manufacturing of pharmaceutical or other products for general sale or distribution.

(b) Residential Uses.

- 1) Townhouse dwellings.
- 2) Stacked flats.
- 3) Multiple-family dwellings.

(c) Institutional Uses.

- 1) Municipal facilities including governmental offices, fire stations, post offices, park and ride facilities, libraries, community buildings and municipal parks and playgrounds, provided such facilities do not meet the definition of “large-scale institutional uses.”

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- 2) Housing for the elderly, including congregate elderly housing, provided that such uses do not meet the definition of “large scale institutional uses.”
- 3) Churches, temples and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of “large-scale institutional uses.”
- 4) Public, charter, and private, including parochial, elementary, intermediate and/or secondary schools offering courses in general education, provided such facilities do not meet the definition of “large-scale institutional uses.”

3. Site Area and Density Standards

- (h) The minimum eligible site area for a PUD in the ARC and OS-ARC Districts shall be one (1) acre. The site area used to determine eligibility of the site for development shall be the gross land area exclusive of public rights-of-way or street setbacks (as specified in Section 28.22) presently or ultimately equal to eighty-six (86) feet in width or greater.
- (i) The area used in computing overall residential density shall be the gross site area including any dedicatable interior right-of-way and excluding the following:
 - 1) Public rights-of-way or street setbacks, presently or ultimately equal to eighty-six (86) feet in width or greater.
 - 2) All water surface area of lakes and ponds.
 - 3) Churches, public libraries and schools.
- (j) Where residential uses are included in a PUD, the overall density of the particular area used for residential purposes shall in no case exceed twenty-five (25) dwelling units per acre.
- (k) Adjacent land in an R-1 One Family Residential District may be included in a PUD when the Planning Commission finds that such property meets the intent of this Article. Such land area must be included in the overall open space of the PUD and may not be used for any building purposes. The proposed R-1, One Family Residential District area shall assist in providing a transition and buffer area for compatibility with adjacent land uses.

4. Maximum Building Height

Structures in a PUD shall have a maximum height of three (3) stories or thirty-eight (38) feet. The Commission shall have the authority to require a lower maximum height or to permit taller structures, provided that the alternative meets the criteria established in the

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Purpose and Statement of Principles Sections of this Article, assures an adequate supply of light and air to each structure and ensures privacy within and between residential units.

5. Building Setbacks

(a)

BUILDING RELATIONSHIP	MINIMUM BUILDING SETBACK (feet)
Front to Front	60.0
Front to Side	35.0
Side to Side	20.0
Side to Rear	55.0
Front to Rear	60.0
Rear to Rear	60.0

(b) The Commission shall have the authority to vary the specific requirements of this section provided that the alternative meets the criteria established in the Purpose and Statement of Principles sections of this Article, assures an adequate supply of light and air to each structure and ensures privacy within and between residential units.

6. Perimeter Yard Setbacks

(a) A minimum perimeter yard setback of twenty (20) feet shall be provided between all buildings and adjacent property lines or street rights-of-way. The Commission shall have the authority to require greater or lesser setbacks, and to vary the specific requirements of this Section 23.10.B, provided that the alternative meets the criteria established in the Purpose and Statement of Principles Sections of this Article, assures an adequate supply of light and air to each structure and ensures privacy within and between residential units.

(b) The Commission may require additional perimeter yard setback area, up to a maximum of fifty (50) feet, and additional buffer treatment in the form of tree plantings and screening walls, where any of the following conditions apply:

- 1) The PUD abuts an existing or proposed land use of less intensity.
- 2) The PUD site is five (5) acres or larger.
- 3) The PUD includes more than one hundred (100) residential units.

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- 4) To provide for adequate separation and buffering between the PUD and existing main buildings on adjacent parcels.

(as amended 10/25/07)

- (c) The minimum building setback in a PUD shall be 50 feet from any perimeter property line or street setback line of the development parcel. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line. In no case shall the building setback be less than 35 feet.
- (d) Where a building in a PUD sides to the right of way of the road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting the same road is zoned single family residential. In no case shall the building setback be less than 25 feet.

7. Open Space and Green Area

- (a) All PUD developments in the ARC and OS-ARC Districts shall include landscaped green space and open space to enhance the appearance and quality of the development, and to provide for outdoor use. Open space shall be provided for residential uses in accordance with the following calculation: two-tenth (.2) square foot of area for each one (1) square foot of gross residential floor area. Such open space shall be distributed throughout the site to provide a benefit to the development as a whole. The Commission shall have the authority to vary the specific requirements of this section provided that the alternative meets the criteria established in the purpose and statement of principles Sections of this Article.
- (b) Open space shall consist of outdoor areas for the benefit of the development's users and residents. Consistent with the purpose of the PUD option, in the ARC and OS-ARC Districts features such as plazas, lawns, parks, greenbelts, landscaped areas and buffers, walkways and paths, sitting areas, and similar features may be included as part of the open space and green area requirement. This shall not include parking areas, driveways, or vehicle circulation routes.
- (c) Preservation of desirable "natural" site amenities shall be encouraged. Emphasis shall be on preserving trees, waterways, scenic points, historic points and other community assets and landmarks.

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8. Circulation, Parking, Loading and Access Management

The exterior and interior vehicular and pedestrian circulation system planned for the proposed PUD in the ARC and OS-ARC Districts shall be in the best interest of the public health, safety, and welfare in regards to the general public and the future users of the planned development. The circulation systems proposed shall take into consideration the overall circulation of the community as a whole, ingress/egress to the site, vehicular turning movements related to interior circulation, street intersections and street gradients, site distance, driveway locations, and potential hazards to the normal flow of traffic.

- (a) In reviewing the proposed interior circulation system, the Planning Commission shall determine the necessity for public roads and the potential future extension of such roads to adjacent properties, potential road closures, and provide for cross-access, if determined necessary by the Board.
- (b) All interior roads (both those designated as public and private) shall be constructed in compliance with current “Subdivision Rules and Regulations” as adopted by the Wayne County Department of Public Services. The Planning Commission and/or Township Board may waive this requirement after review and recommendation by the Township Planner and Township Engineer provided the proposed waiver shall not materially impair the intent and purpose of this Ordinance or the public interest.
- (c) Off-street parking shall be provided for all uses as specified by Section 14.4, ARC Parking Requirements, Layout Standards, and Off-Street Loading and Unloading. Mixed uses may have varied demands; therefore, variations may be permitted if justified by the applicant and approved by the Commission and the Board.
- (d) Parking area screening and parking lot landscaping shall be provided for all uses as required by Section 14.8, ARC Parking Area Screening, and Section 14.9, ARC Interior Parking Lot Landscaping. Mixed uses may have varied demands; therefore, minor variations may occur if justified by the applicant and approved by the Commission and the Board.
- (e) All uses in a PUD shall be subject to the requirements of Section 14.5, ARC Access Management and Driveway Standards. Mixed uses may have varied demands; therefore, minor variations may occur if justified by the applicant and approved by the Commission and the Board.
- (f) The PUD shall be located, with respect to major streets and highways, so as to provide direct access to it without increasing significantly the amount of traffic along minor streets.

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9. Utilities

- a) The PUD in the ARC and OS-ARC Districts shall be located in relationship to sanitary sewers, watermains, storm and surface drainage systems and other utilities so that neither extensions nor enlargement of such systems will be required that would result in a higher net public cost than would ordinarily occur under development within the existing zoning classification; provided however, that the developer may install said facilities at his own expense.
- (b) All utility lines or similar facilities intended to serve any use in a PUD, whether designed for primary service from main lines or for distribution of service throughout the site, shall be placed and maintained underground at all points within the boundaries of the site, to the greatest extent practical in the determination of the Commission and the Board.

10. Landscaping

All uses in a PUD in the ARC and OS-ARC Districts shall be subject to the requirements of Section 14.6, ARC Landscaping Standards, and Section 14.7, ARC Landscaping, Screening or Buffering. The Commission shall review these requirements when considering the PUD option. Modifications can be made by the Commission if its findings are such that a strict interpretation of the ARC standards would adversely impact the development of the parcel.

11. Signs

- (a) All uses in a PUD in the ARC and OS-ARC Districts shall be subject to the requirements of Section 14.10, ARC Signs. All uses in a PUD in the OS-ARC District shall also be subject to the requirements of Section 11.3.8, OS-ARC Signs.
- (b) All proposed signs shall be subject to review by the Commission as part of the final Development Plan of the PUD. The Planning Commission, in its review, may modify the specific requirements applicable to the PUD, in order to ensure that all proposed signs are in harmony with the existing land uses of the general area and shall not adversely impact the orderly development of adjacent properties, properties of the general area and the planned development project.

12. Streetscape improvements shall be installed consistent with the Ann Arbor Road Corridor Design Plan, as specified in the Charter Township of Plymouth Downtown Development Authority's Streetscape Prototype and Specifications.

13. Lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting. The type of lighting shall be consistent with the objectives of the Ann Arbor Road Corridor District development standards.

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- 14. Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.
- 15. Elevators shall be required consistent with the State Construction Code enforced by the Township.
- 16. Grading and Drainage shall be provided as specified in Section 28.15 of this Ordinance.

SEC. 23.12 AMENDMENT, TERMINATION AND REVOCATION

Final approval by the Township Board of the final development plan and contract signifies the completion of the Planned Unit Development application process. The applicant shall comply with all conditions and requirements of the final development plan and contract, which shall be recorded in the record of the Township Board's approval action and shall remain unchanged except upon the mutual consent of the Township and the landowner.

1. Compliance Required

Once an area has been included within a final development plan for Planned Unit Development and such plan has been approved by the Board, no development may take place in such area nor may any use thereof be made, except in accordance with said plan, or in accordance with a Board approved amendment thereto, unless the plan is terminated as provided herein.

2. Amendment

An approved final development plan and contract may be amended in the same manner provided in this Article for approval of the original final development plan and contract.

3. Termination

An approved final development plan and contract may be terminated by the applicant prior to any development within the Planned Unit Development area involved by filing with the Township Clerk and recording in the Wayne County Records an affidavit so stating. The approval of the final development plan and contract shall terminate upon said recording. No approved final development plan and contract shall be terminated after any development commences within the Planned Unit Development area, except with the approval of the Township Board and of all parties of interest in the land.

4. Revocation

A Planned Unit Development approval may be revoked by the Township Board in any case where the conditions of such approval have not been or are not being complied with. The Township Board shall give the applicant notice of its intention to revoke such permit at least ten (10) days prior to review of said approval by the Board. After conclusion of such review, the Township Board may revoke such approval if it finds that a violation, in fact, exists and has not been remedied prior to such hearing.

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SEC. 23.13 CONDOMINIUM PROJECTS

For any condominium proposed as a PUD, the applicant shall provide a copy of the Master Deed and Condominium Association Bylaws for approval by the Township Board of Trustees. The condominium documents shall provide limits on use of common areas or open space for accessory structures such as swimming pools, decks, playground equipment and buildings. A plan shall be provided indicating the limits of such accessory structures within a defined envelope.

At the time of application for general development plan approval, the applicant shall submit the necessary documents to the Community Development Department for Township Attorney review prior to final development plan approval by the Board of Trustees. The Association documentation shall include provisions for the following at a minimum:

1. The conditions upon which the approval is based, with reference to the approved final development plan.
2. When open space or common areas are indicated in the development plan for use by the residents, the open space or common areas shall be conveyed in fee simple or otherwise committed by dedication to an association of the residents, and the use shall be irrevocably dedicated for the useful life of the residences, and retained as open space for park, recreation or other common uses.
3. A program and financing for maintaining common areas and features, such as walkways, signs, lighting and landscaping.
4. Assure that trees, waterways and woodlands will be preserved as shown on the Final Development Plan.
5. Assure the construction and maintenance of all streets and necessary utilities (including public water, wastewater collection and treatment) through bonds or other satisfactory means, for any and all phases of the PUD. In the case of a phased PUD, this requirement shall be reviewed at the time of any final development plan approval.
6. Address any other concerns of the Township regarding construction and maintenance.

END OF ARTICLE 23.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 23: Planned Unit Development Option
Amendments:

ALL AMENDMENTS TO
ARTICLE XXIII (23)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 23: Planned Unit Development Option

Amendments:

ALL AMENDMENTS TO ARTICLE XXIII (23)

The following language was amended (added) on 10/25/07 (section 23.10.3)

- (d) The minimum building setback in a PUD shall be 50 feet from any perimeter property line or street setback line of the development parcel. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line. In no case shall the building setback be less than 35 feet.
- (e) Where a building in a PUD sides to the right-of-way of a road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting the same road is zoned single family residential. In no case shall the building setback be less than 25 feet.

The following language was amended (added) on 10/25/07 (section 23.11.6)

- (c) The minimum building setback in a PUD shall be 50 feet from any perimeter property line or street setback line of the development parcel. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line. In no case shall the building setback be less than 35 feet.
- (d) Where a building in a PUD sides to the right of way of the road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting the same road is zoned single family residential. In no case shall the building setback be less than 25 feet.

The following language was amended on 9/30/07

SEC. 23.7 PUBLIC HEARING REQUIREMENTS

A public hearing shall be held by the Planning Commission on a proposed Planned Unit Development option in order to acquaint the public and adjoining property owners with the proposal prior to furnishing of detailed plans and specifications by the Applicant. Notice of the public hearing shall be published in a newspaper which circulates in the Township, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. The notice shall be given not less than five (5) no more than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different

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individuals, partnerships, businesses or organizations one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall:

1. Describe the nature of the Planned Unit Development request.
2. Indicate the property which is the subject of the Planned Unit Development request.
3. State when and where the Planned Unit Development request will be considered.
4. Indicate when and where written comments will be received concerning the request.