

## 111.2300

## PLANNED UNIT DEVELOPMENT

### 111.2301

**Description and purpose.** The use, area, height, bulk and placement regulations of this Ordinance are primarily applicable to the usual situation of one principal building on a lot. In certain large developments, these requirements might result in situations less in the interest of public health, safety and welfare than if a controlled degree of flexibility were allowed. The Planned Unit Development is intended to permit and control the development of pre-planned areas for various compatible uses allowed by the Township Zoning Ordinance and for other exceptional uses not so provided.

It is intended that uses in a Planned Unit Development shall afford each type of land use reasonable protection from encroachment or interference by other incompatible land uses, and that reasonable protection be afforded to uses adjacent to a Planned Unit Development.

Under this Article, all proceedings shall be conducted with due consideration for maintenance of reasonable conditions regarding emission and transmission of injurious or obnoxious noise, fire or explosion hazard, liquid or solid waste disposal, vibration, gas fumes, smoke, dust, dirt, litter, odor, light, glare, traffic congestion, ingress or egress, ease of police and fire protection, drainage, lateral land support, blighting influence, effect on property values, light and air, overcrowding of persons, sanitation, general appearance of the area, surface and ground water quality, and other similar considerations having an effect on public health, safety and general welfare of the people of the surrounding area.

### 111.2302

**Objectives.** The following objectives shall be met by any application for any Planned Unit Development in order to realize the inherent advantages of coordinated, flexible, comprehensive, long-range, planning and development of such planned development.

- (a) To provide more desirable living, shopping and working environments by preserving as much of the natural character of the property as possible, including, but not limited to, open space, stands of trees, brooks, ponds, floodplains, hills and similar natural assets.
- (b) To encourage the provision of open space and the development of recreation and where included in the plan, other support facilities in a generally central location within reasonable distance of all living units.
- (c) To encourage developers to use a more creative and imaginative approach in the development of areas.
- (d) To encourage underground utilities which can be more efficiently designed when master planning a large area.
- (e) To allow phased construction with the knowledge that subsequent phases will be approved as originally planned and approved by the Township.
- (f) To promote flexibility in design and permit planned diversification in location of structures.
- (g) To promote the efficient use of land to facilitate a more economic arrangement of buildings, circulation system, land use and utilities.
- (h) To combine and coordinate architectural styles, building forms, and building relationships within the Planned Unit Development.

(i) To insure a quality of construction commensurate with other developments within the Township.

**111.2303 Maximum density.** Maximum densities are as follows:

<u>District</u>	<u>Dwellings per acre Per Acre</u>	<u>Required open space per Unit</u>
R-1, LR	3.0	1500 square feet
R-2, AG	2.0	1300 square feet

If the project is located in more than one zoning district, the density must be calculated separately for each zoning district. The required open space shall be dedicated to the public or set aside for common use of the owners and users within the Planned Unit Development so that there are assurances that the required open space shall remain open. That area used for public or private streets or drives, parking lots, necessary yards, and buildings or structures shall not be used to comprise the required open space. The open space shall be provided with ground cover suitable to control erosion and shall be maintained monthly. (Amended August 2008)

**111.2304 Application procedures.** An application for a Planned Unit Development shall be submitted and acted upon in accordance with the following procedures:

(a) Application. Applications for a Planned Unit Development shall be submitted through the Zoning Administrator who will review the application for completeness, then transmit to the Planning Commission. Each application shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by the Township Board to cover the cost of processing the application.

(b) Required information. An application for Planned Unit Development shall be accompanied by the following documents and information:

(1) A Planned Unit Development application form supplied by the Zoning Administrator, which has been completed in full by the applicant.

(2) A site plan as specified in Article XXIV.

(3) A statement with regard to compliance with the criteria required for approval in Section 5{111.2305} and other criteria imposed by this Ordinance affecting the Planned Unit Development under consideration.

(c) Optional preliminary meeting. If it is considered appropriate by the Planning Commission, a meeting may be scheduled to review preliminary information for a Planned Unit Development. The purpose of such procedure is to allow discussion between the applicant and the Planning Commission to better inform the applicant of the acceptability of his proposed plans prior to incurring extensive engineering and other costs which might be necessary for final Planned Unit Development approval.

(d) Public hearing. Upon receipt of an application for a Planned Unit Development, the Planning Commission shall call a public hearing for the purpose of receiving comments relative to the Planned Unit Development application. A notice shall be published in a newspaper which circulates in the Township and sent by mail or personal delivery to all persons to whom real property is assessed within five hundred (500) feet of the boundary of the property in question and to the occupants of all structures within five hundred (500) feet. The notice shall be given

not less than five (5) or more than fifteen (15) days before the date the application will be considered. The notice shall:

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

(e) Review and approval. Within thirty (30) days following the public hearing, the Planning Commission shall review the application for a Planned Unit Development, comments received at the public hearing, the site plan and other materials submitted in relation to the application, and deny, approve or approve with conditions the Planned Unit Development application in accordance with the purpose of this Article and the criteria for approval stated in Section 5{111.2305}, an such standards contained in this Ordinance which relate to the Planned Unit Development under consideration. The Planning Commission shall prepare a report stating its conclusions on the request for a Planned Unit Development, the basis for this decision, and any conditions relating to an affirmative decision. Upon the approval or approval with conditions by the Planning Commission, the applicant may apply for preliminary plat approval.

#### **111.2305**

**Basis of determination.** Prior to approval of a Planned Unit Development application, the Planning Commission shall insure that the standards specified in this section, as well as applicable standards established elsewhere in this Ordinance, shall be satisfied by the completion of the Planned Unit Development under consideration.

**(a) General standards.** The Planning Commission shall review the particular circumstances of the Planned Unit Development application under consideration in terms of the following standards and shall approve a Planned Unit Development only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:

- (1) The Planned Unit Development shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area and shall not change the essential character of the surrounding area.
- (2) The Planned Unit Development shall not be hazardous to adjacent property or involve uses, activities, materials or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare.
- (3) The Planned Unit Development shall not place demands on public services and facilities in excess of current capacity. The applicant shall obtain a written statement to this effect from all affected utility companies.
- (4) The Planned Unit Development shall not directly or indirectly have a substantial adverse impact on the natural resources of the Township, including but not limited to, prime agricultural soils, water recharge areas, lakes, rivers, streams, major forests, wetlands, wildlife areas and major sand, gravel or mineral deposits.

(5) The Planned Unit Development shall not have substantial and permanent adverse effects on the market value of surrounding property.

(6) The Planned Unit Development shall be designed so that on site sanitation facilities for sewage disposal, potable water supply, storm water, and solid waste disposal are properly designed and capable of handling the long term needs of the proposed project.

**(b) Conditions.** The Planning Commission may impose conditions with the approval of a Planned Unit Development which are necessary to insure compliance with the standards for approval stated in this section and any other applicable standards contained in this Ordinance. Such conditions shall be considered an integral part of the Planned Unit Development approval and shall be enforced by the Zoning Ordinance Enforcement Officer.

**(c) Appeals.** Decisions of the Planning Commission may be appealed to the Township Board. (Amended 11/06)

**111.2306 Repeal.** All Ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

**111.2307 Effective date.** This Ordinance shall be effective after legal publication and in accordance with the Act governing the same. (Adopted: Ord. No. 22, 3-9-93)