

**CHAPTER 14A**  
**"OSN-PUD" - OPEN SPACE NEIGHBORHOOD**  
**PLANNED UNIT DEVELOPMENT DISTRICT**

(Ord. No. 02-03; 8/1/02)  
 (Ord. No. 06-01; 2/26/06)  
 (Ord. No. 09-01; 3/31/09)

(Ord. No. 19-02; 2/18/19)  
 (Ord. No. 22-02; 4/18/22)

**SECTION 14A.01 PURPOSE**

It is the intent of this Chapter to offer an alternative means of developing residential property through the use of an Open Space Neighborhood Planned Unit Development (OSN-PUD). The OSN-PUD is a zoning district for master planned residential communities in which the most important design feature is the identification and inclusion of land that is to be preserved or created as open space. Most dwellings would abut this permanently preserved open space in order to provide views and access for residents.

This Chapter sets forth requirements pertaining to the design of an Open Space Neighborhood via the Planned Unit Development process. As with any land use planning endeavor, proper yet visionary community design is essential. However, it is also understood that the property being planned for an OSN-PUD must still be legally divided into lots via the land division, platting, condominium, or site condominium process. As such, certain engineering realities should be expected during the OSN-PUD design process, particularly when addressing mandatory public utility extensions, stormwater management, and onsite grading work.

Some degree of flexibility is permitted in the use, height, bulk, and placement requirements for OSN-PUD developments, but it is also intended that each OSN-PUD district will complement uses that are near and adjacent to the OSN-PUD district. The OSN-PUD District is intended for the following purposes:

- a) Implementing the Township's Master Plan relating to preservation of open space, rural character, and natural resources in the creation of well-planned residential neighborhoods.
- b) Encouraging the use of land in accordance with its character and adaptability;
- c) Assuring the preservation of open space and other natural resources and allowing for the continuation of viable farming activities.
- d) Providing active and/or passive recreational areas accessible to all residents of the OSN-PUD;
- e) Encouraging the provision of open space of a useable size and design;
- f) Allowing innovation and greater flexibility in the design of master planned residential developments;
- g) Facilitating the construction and maintenance of streets, public utilities, and public services in a more economical and efficient manner;
- h) Ensuring compatibility of design, use, and density between neighboring properties and an OSN-PUD zoning district, or as recommended by the current Master Plan;

- i) Encouraging a more compact form of development, thus preserving open space as undeveloped land or as maintained recreational space;
- j) Providing a road design that provides connections throughout the development, rather than utilizing numerous cul-de-sacs, and that provides traffic calming devices such as shorter street segments, 90° turns, irregular street patterns, narrower streets, and access to lots by shared drives and alleys.
- k) Providing for neighborhood design which has a definable center and edges, and which provides pedestrian links throughout the site.
- l) Preserving and restoring wildlife habitat and native biological diversity.
- m) Utilizing the “toolbox” methodology quantified within this ordinance to thoroughly plan and design all onsite open space and built environment features, based in large part on the pre-existing strengths and weaknesses of a particular site.

### **SECTION 14A.02 AUTHORIZATION AND PROCEDURE**

An OSN-PUD may be approved by the Planning Commission and Township Board pursuant to Chapter 22 of this Ordinance.

### **SECTION 14A.03 ELIGIBILITY CRITERIA**

To be eligible for OSN-PUD consideration, the applicant must demonstrate that a proposed OSN-PUD meets the following criteria:

- a) Location: An OSN-PUD may be approved in any location which is recommended for Rural Estate or Low Density Residential uses by the Alpine Township Master Plan or is currently within the Rural Agricultural or Low Density Residential zoning districts.
- b) Recognizable Benefits: An OSN-PUD shall result in recognizable and substantial benefits both to the residents of the project and to the overall quality of life in the Township. The benefits can be provided through site design elements such as innovative architectural design and quality housing stock, distribution of lots which would not result in as desirable a development if developed separately, creative use of landscaping, sensitivity to adjacent residential land uses, unique site design features, preservation and restoration of natural features, or preservation of viable farm land and the reasonable maintenance of rural appearance.
- c) Minimum Size: Qualifying parcels must be a minimum of five contiguous acres.
- d) Unified Control: The proposed development shall be under unified ownership or control, so that one person or entity has proprietary responsibility and the ability to provide for the full development of the project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions to establish that the development will be completed in its entirety as proposed.

## SECTION 14A.04 DENSITY REQUIREMENTS

- a) An OSN-PUD shall only be developed in accordance with the density and land uses allowed by this Chapter. The permitted number of dwellings per acre (density) for a proposed OSN-PUD shall be consistent the following table:

**Density Table**

Master Plan Category	Comparable Zoning District	OSN-PUD Maximum Density
Rural Estate	Rural Agricultural	.66 units/ac. (1.5 acres/unit)
Low Density Residential	R1, Low Density Residential	3.0 units/ac.

To determine the maximum number of dwelling units which may be constructed within an OSN-PUD, the permitted density from the Density Table above shall be multiplied by the total acreage of the site, excluding those areas identified as Primary Conservation Areas in Section 14A.08(d) as well as acreage within pre-development public road rights-of-way.

However, this maximum density may not be feasible when the 65' lot width minimum noted in Section 14A.07 and the required 35% of gross acreage Dedicated Open Space noted in Section 14A.08(a) are applied to the actual PUD lot layout plan. Therefore, the actual lot yield plan may be less than the permitted maximum number of dwelling units.

The Planning Commission and the Township Board may, based on the criteria contained in this chapter, require fewer dwelling units than would otherwise be permitted by the maximum density calculation noted in this Section to better protect the public health, safety, and welfare.

## SECTION 14A.05 PERMITTED USES

Land and buildings in an OSN PUD may only be used for the following uses or combination of such uses:

- a) Single family dwellings
- b) Two-family dwellings. Two-family dwellings shall not constitute more than 15% of the total dwelling units in an OSN-PUD.
- c) Multi-family dwellings, provided that there are not more than four units per building and the building is not more than thirty-five (35) feet in height or two and one-half stores. Multi-family dwellings shall not constitute more than 15% of the total dwelling units in an OSN-PUD. (Ord. 22-02; 4/18/22)
- d) Other uses that are determined by the Township Board upon recommendation of the Planning Commission to be consistent with the Alpine Township Master Plan and this Ordinance.
- e) Limited farming activities are permitted only if such activities are conducted upon the Dedicated Open Space within the OSN-PUD. For purposes of this section farming activities shall be limited to the growth and sale of crops, fruits, and vegetables and the raising and keeping of farm animals.

- f) Golf courses, tennis courts, ball fields, bike paths, walking paths, playground, community buildings, and similar active and passive recreational facilities, provided that they are designed to be used primarily by residents of the OSN-PUD.
- g) Accessory uses, structures, and buildings that are customarily associated with the uses specified above, shall be permitted in accordance with Section 2.01 of this Ordinance unless specifically modified by the Planning Commission.
- h) Any On-Site Use Wind Energy System, including Structure-Mounted Wind Energy Systems, which is 65 feet or less in total height subject to Section 2.46 herein. (Ord. No. 09-01; 3/31/09)

#### **SECTION 14A.06 USES PERMITTED SUBJECT TO SPECIFIC AUTHORIZATION OF THE TOWNSHIP BOARD**

The following uses are also permitted within the OSN-PUD zone when specifically authorized by the Township Board upon the recommendation of the Planning Commission. The uses shall be developed in accordance with standards provided for PUDs and the specific standards applicable to each use as set forth elsewhere in this Ordinance, except that the Township Board in its discretion may vary those specific standards in order to achieve the intent and purpose of the PUD: (Ord. 06-01; 2/26/06) (Ord. No. 09-01; 3/31/09)

- a) Housing for seniors or retired persons per Chapter 21 herein.
- b) Any Wind Energy System, including Structure-Mounted Wind Energy Systems, which is greater than 65 feet in total height and Anemometer (MET) Towers subject to Section 21.09 herein. (Ord. No. 09-01; 3/31/09)

#### **SECTION 14A.07 DEVELOPMENT REQUIREMENTS**

The lot area, lot width, building setback, yard requirements, street frontage, and street widths applicable within an OSN-PUD may be modified in order to achieve the objectives of this section, if recommended by the Planning Commission and approved by the Township Board. However, each individual lot must be at least 65 feet in width at the required minimum front building setback line to a distance of 50 feet beyond the required minimum front building setback line. In addition, a diversity of lot sizes may be required in order to achieve a variety of housing types and to avoid the monotonous repetition of static lot sizes often found in conventional subdivisions. (Ord. No. 22-02; 4/18/22)

## SECTION 14A.08 MINIMUM OPEN SPACE REQUIREMENTS

- a) An OSN-PUD shall provide and maintain a minimum of 35 percent of the gross parcel area of the application site as Dedicated Open Space. Dedicated Open Space includes all land within a PUD not devoted to a residential lots or units, accessory structures or uses, vehicle access or parking areas, utility easements, roadways, or land improvements. Dedicated Open Space shall be used for recreation, conservation, or preservation and shall be connected to adjacent and future developments, open space, and bike paths.
- b) All areas identified as Primary Conservation Areas per Section 14A.08(d) shall be permanently preserved as dedicated open space. The Planning Commission shall determine the actual amount of open space required, and may require more than 35 percent of the site to be dedicated open space based on Geographic Information System analysis, biological surveys, topographical surveying data, the nature and intensity of the proposed development, and compliance with the purposes of this section.

The specific types of Dedicated Open Space planned within an OSN-PUD must be chosen from the “OSN-PUD Toolbox,” displayed on Figure 1.

- c) Standards for Dedicated Open Space. The following standards shall apply to the Dedicated Open Space required in an OSN-PUD:
  - 1) Dedicated Open Space shall be available for use by all residents of the OSN-PUD.
  - 2) At least one area of Dedicated Open Space shall be centrally located within the development, insofar as it is feasible, and shall be maintained as an active recreational area, such as a village green, playground, or ball field park. It is the intent of this section that the centrally located open space be maintained in a more formal sense, so as to promote community, visibility, monitoring, usability, and safety of the area.
  - 3) Other than the centrally located Dedicated Open Space, other Dedicated Open Spaces shall be located along the road frontage of the development, located to preserve significant natural features, or located to connect open spaces throughout the development and to open spaces on adjacent OSN-PUD properties.
  - 4) If the pre-development site contains a lake, stream or other body of water, a significant portion of the required Dedicated Open Space shall abut the body of water. Greenways shall be established along watercourses whenever possible.
  - 5) Narrow peripheral bands of open space may count toward up to 50% of the required Dedicated Open Space if such peripheral open space provides a landscaped and bermed visual buffer between land uses to create a more rural appearance from adjacent roadways. Such open space must be at least 30’ wide, bermed to a height of 6’–10’, have at least 4’ of flat area across the top, be significantly landscaped and have a side slope that supports lawn mowing equipment.

See Figure 1, Type 4 for examples of useful peripheral open space.

- 6) If active recreational areas are proposed such as maintained village greens,

playgrounds, or ball fields, such areas shall be 62,500 square feet in area and at least 250 feet in length and width. The Planning Commission may approve limited active recreational Dedicated Open Space areas of less than 62,500 square feet in area and 250 feet in length and width if such areas are designed and established as pedestrian or bicycle paths for residents of the OSN-PUD.

These active recreational areas shall not utilize more than 60% of the overall 35% required Dedicated Open Space area unless specifically approved by the Planning Commission and Township Board. The remaining 40% (or more) shall be passive open space consisting of primary or secondary conservation areas.

- 7) Pedestrian access points to the Dedicated Open Space areas shall be provided and shall be clearly identified by signs and an improved path for safe and convenient access. Except for boardwalks or gravel trails through natural areas, pathways shall be paved.
  - 8) Grading in Dedicated Open Spaces containing Primary Conservation Areas shall be minimal, with the intent to preserve existing topography and limit soil erosion. Active recreational areas shall be graded as flat as possible while still providing adequate stormwater management and drainage controls.
  - 9) Passive recreational areas shall be designed to revert to native forms of Michigan vegetation, in order to restore biological diversity, preserve more rural appearances and to allow for exploration of natural areas by OSN-PUD residents. In the case of landscaped peripheral berms, more active maintenance may be prudent to improve aesthetics and visual appeal. However, native Michigan species should be utilized wherever possible in these landscaped areas.
  - 10) A structure or building accessory to a recreation or conservation use may be erected within the Dedicated Open Space, in accordance with an approved open space plan.
  - 11) A non-motorized trail system shall be provided throughout the development. The applicant shall provide linkage of the trail system to future neighborhoods and developments that may occur adjacent to the development.
- d) Primary Conservation Areas. The following forms of Dedicated Open Space shall be preserved as "primary conservation areas:"
- 1) All wetlands and wet meadows (whether regulated or not)
  - 2) All floodplains and drainageways (whether regulated or not)
  - 3) Creeks, streams, ponds or lakes
  - 4) Steep slopes (20% or over)
  - 5) Habitats of unique or endangered species
  - 6) Soils that will not sustain buildings
  - 7) Woodlands wherein which at least 30% of the trees measure at least 10 inches in diameter

The determination of the existence of all wetlands and floodplain areas on a parcel shall be demonstrated to the satisfaction of the Planning Commission through a written determination by the Michigan Department of Environmental Quality or by an analysis performed by a professional biologist, professional wetland consultant, or similar professional person deemed acceptable to the Planning Commission and Township Board.

- e) Secondary Conservation Areas. Where feasible, the following open spaces shall also be preserved as “secondary conservation areas:”
- 1) Woodlands which are not part of the primary conservation area
  - 2) Farm land
  - 3) Meadows and hedgerows
  - 4) Farm buildings and fences
  - 5) Historic, cultural, and archeological features
  - 6) Scenic views into and out of the site
  - 7) Any other area which, due to significant natural or cultural features, is determined to be worthy of preservation.
- f) Open Space Preservation and Maintenance Agreement: Prior to approval of PUD rezoning by the Township Board, the applicant shall provide an open space preservation and maintenance agreement, in a form acceptable to the Township, providing that all Dedicated Open Space (as referenced herein) portions of the development shall be permanently protected from future development and maintained in the manner approved by the Planning Commission and Township Board during the OSN-PUD review process.

Such documentation shall be in a form satisfactory to the Township Board and recorded so as to bind all successors and future owners in title to commitments made as part of the accepted project proposal. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is provided to the Township and the Dedicated Open Space land uses continue as approved in the OSN-PUD plan, unless the Township Board approves an amendment.

The open space preservation and maintenance agreement is subject to approval by the Township Board and may consist of covenants, conditions, and restrictions that run with the land, a conservation easement established according to the Michigan Conservation and Historic Preservation Act, Public Act 197 of 1980, as amended, or another comparable substitute as determined by the Township Board.

The preservation and maintenance agreement shall, at a minimum:

- 1) Indicate the proposed uses and maximum intensity of use(s) within the Dedicated Open Space.
- 2) Require that the Dedicated Open Space be maintained by parties or entities that have an ownership interest in the open space.

- 3) Provide standards for scheduled maintenance of the Dedicated Open Space including necessary mowing, trash removal, irrigation, pruning of trees and new plantings to replace withered or dead materials.
- 4) Provide an administrative mechanism for maintenance to be undertaken by Alpine Township in the event that the Dedicated Open Space is inadequately maintained, as determined by the Township, and becomes a public nuisance. Provisions shall be made to ensure that any costs incurred by the Township to maintain shall be assessed or apportioned to the owners of the property within the OSN-PUD.
- 5) Provide a legal instrument to permanently protect all Dedicated Open Space areas from future development.

**SECTION 14A.09 DESIGN STANDARDS FOR RESIDENTIAL LOTS OR UNITS AND RESIDENTIAL STRUCTURES** (Ord. No. 22-02; 4/18/22)

The location of residential lots or units shall be based upon the following criteria:

- a) In no case may residential lots or units extend into a primary conservation area. Residential or units lots may extend into Secondary Conservation Areas, if approved by the Planning Commission and Township Board.
- b) Where practical, houses should be placed so that scenic views are left open or uninterrupted, particularly as seen from the public road right-of-way.
- c) Lots within an OSN-PUD are not required to have frontage on public streets or private roadways. Lots within an OSN-PUD may face onto the walkways surrounding greens or squares rather than directly onto streets. Such lots may take their vehicle access from alleys or shared drives that serve the rears of these lots.
- d) "Zero" lot lines on the sides of narrow lots may be permitted; side porches facing the greater side yard of these lots are also encouraged.
- e) All lots shall be accessible by emergency and public service vehicles.
- f) The Township may require that garages not extend beyond the faces of houses served by the garage. Garages located at the rears of lots may be accessed by alleys or drives serving the lot.
- g) To avoid the adjacent placement of identical home facades, the applicant shall provide the Planning Commission and Township Board with a "non-repeat" plan for housing facades.

**SECTION 14A.10 DESIGN STANDARDS FOR STREETS**

The following criteria shall apply when locating and designing streets, trails, and greens. If the applicant is also seeking approval for a private road, information and approval required by Section 2.34 herein shall also be submitted. Special land use permit approval is required for a private road.

- a) Streets shall be designed to minimize the area devoted to vehicle travel. The use of alleys for access to rears of lots, as well as the use of shared drives, may be required.



- b) Streets shall be designed to preserve existing tree lines and hedgerows.
- c) Streets shall be designed to avoid crossing wetlands, wildlife habitat, or other sensitive natural areas unless no other alternative route exists. Travel lanes may be split into a boulevard-style street with natural areas between the travel lanes.
- d) Streets shall be designed to avoid long street segments. Shorter straight segments at 90 degrees to each other are preferable, as well as irregular street patterns which combine straight, angled, and curving street segments that increase visual appeal and help calm traffic. The use of "T" intersections is encouraged.
- e) Lanes or alleys serving lots shall have a pavement width of at least 14 feet; shared driveways shall have a pavement width of at least 10 feet.
- f) Street systems should be designed to produce terminal vistas (views) of open spaces, village greens, water features, meadows, or playing fields.
- g) Where practical, streets should allow single loading of house sites, which allows all homes views of open spaces within the development.
- h) Every effort should be made to connect streets so that dead ends are minimized, to provide safe and efficient access for emergency and public service vehicles, and to avoid conditions where certain residential streets become collectors that carry the majority of neighborhood traffic.
- i) Mid-block walkways shall be provided where a block is at least 800 feet long on at least one side of the street. The Planning Commission shall determine the feasibility of such walkways based upon the practicality of connections within and outside of the OSN-PUD.
- j) Where cul-de-sacs are unavoidable, they should be provided with pedestrian and bike linkages to nearby streets or adjoining neighborhoods. These cul-de-sacs should be designed with a central island where existing trees can be preserved or native species can be planted, in accordance with the Kent County Road Commission.
- k) Streets shall be designed to connect with adjoining properties.
- l) Street trees shall be installed on both sides of all streets (public and private) in accordance with the approved landscaping plan. Trees shall either be massed at critical points, spaced evenly along the street parkway, or both. A 65-foot minimum spacing interval shall be utilized when placing trees. Street trees species should be chosen for their ability to withstand roadside environmental conditions. Tree type may vary depending on the overall effect desired, but as a general rule, trees should be the same kind on a particular street. The installation of street trees shall be the applicant's responsibility and seasonal mass plantings are encouraged to promote cost efficiency and improved survival of trees.  
  
All street and canopy trees shall be at least of 2" caliper size. All evergreen trees shall be at least 6 feet in height. Understory and flowering trees shall be at least 1.5" caliper in size. (Ord. 22-02; 4/18/22)
- m) Sidewalks shall be installed on both sides of all public streets and private streets. (Ord. 22-02; 4/18/22)

### **SECTION 14A.11 LANDSCAPING PLAN REQUIRED**

- a) Plan Content. A landscaping plan prepared by a registered landscape architect shall be submitted with an OSN-PUD application. The plan shall identify proposed trees, shrubs, ground covers and other landscaping elements. The plan shall identify where plantings will be located as well as planting/construction/phasing details. Where existing natural growth will be preserved, the plan must detail methods to protect existing vegetation during and after construction.

### **SECTION 14A.12 STORMWATER AND DRAINAGE FACILITIES**

All OSN-PUD projects must provide for adequate onsite stormwater and drainage facilities, in compliance with Ordinance #01-06, as amended. Based on their design, stormwater and drainage facilities will be classified and reviewed in accordance with the following designations:

- a) Functional: This facility is designed only for engineering functionality and may be necessary in certain situations. Functional detention basins, headwalls, outlet structures, concrete flow channels, rip rap channels, and other drainage improvements must be screened with plant material and berms.
- b) Functional and Created Wetlands: These types of facilities combine functional designs with wetland creation techniques. These types of facilities must be carefully designed to ensure long-term functionality and maintenance provisions. The detention basin embankment and the basin itself must be extensively planted with wet tolerant plant materials with the intention of re-creating a seasonal and high water wet ecosystem.
- c) Functional and Aesthetic: These types of facilities combine functional design with landscape architecture and active/passive recreation potential. These facilities are detailed in Figure 1, Type 8. These ponds must be developed both as functional utilities and neighborhood amenities. Aeration of wet ponds and created lakes is required. Such facilities cannot be allowed to become a visual nuisance. As such, ongoing maintenance of these facilities is essential, either by the public drain district process or as noted in the required OSN-PUD operation and maintenance agreement noted in Section 14A.09(c).

### **SECTION 14A.13 SIGNS**

Signage within an OSN-PUD shall comply with the regulations for the proposed uses contained in Chapter 20, Signs of the Alpine Township Zoning Ordinance.

### **SECTION 14A.14 MINIMUM FLOOR AREA**

- a) ONE-FAMILY DWELLINGS –
- 1) A one-floor house without full basement shall contain a minimum first floor living area of one thousand twenty-four (1,024) square feet.
  - 2) A one-floor house with full basement shall have a minimum first floor living area of nine hundred (900) square feet, provided, however, where existing platted lots in separate ownership have less than sixty-five (65) feet of street frontage, the required minimum first floor area is reduced to eight hundred (800) square feet.

- 3) A house in which the second floor has less square feet than the first floor (expansion attic) shall have a minimum first floor area of eight hundred forty (840) square feet.
  - 4) A two-floor home shall have a minimum first floor area of seven hundred twenty (720) square feet. A two-floor home shall be one having two full floors above grade.
  - 5) A home having more than two floors excluding basement shall have a minimum of one thousand four hundred forty (1,440) square feet of living area, excluding basement.
- b) TWO-FAMILY DWELLINGS -
- 1) All two-family dwellings shall have a minimum floor area of seven hundred eighty (780) square feet for each unit.
- c) MULTIPLE-FAMILY DWELLINGS -
- 1) All multiple-family dwellings shall contain a minimum of six hundred twenty-four (624) square feet of floor space plus one hundred fifty (150) square feet for each additional bedroom in excess of one.
  - 2) Floor space area shall be measured on the outside perimeter exclusive of breezeway and garage. (Ord. 22-2; 4/18/22)

Figure 1  
OSN-PUD Toolbox for Designing Open Spaces



- |                                      |                              |
|--------------------------------------|------------------------------|
| ① Central open space                 | ⑤ Active recreational areas  |
| ② Preserve road frontage vistas      | ⑥ Non-motorized trail system |
| ③ Greenways adjacent to water bodies | ⑦ Boulevard-style streets    |
| ④ Peripheral landscaped berms        |                              |