

Charter Township of Plymouth

Ordinance No. 99.029 Text Amendment 014

AN ORDINANCE TO AMEND THE TEXT OF THE CHARTER TOWNSHIP OF PLYMOUTH ZONING ORDINANCE NO. 99 BY AMENDING ARTICLE 23, PLANNED UNIT DEVELOPMENT.

The Charter Township of Plymouth Ordains:

Part I. The Charter Township of Plymouth Zoning Ordinance No. 99 is hereby amended as follows:

ARTICLE XXIII, PLANNED UNIT DEVELOPMENT

Replace the existing language of Article 23 with the following:

ARTICLE XXIII, PLANNED UNIT DEVELOPMENT (PUD)

PURPOSE

It is 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 and the provisions of public services and utilities, encourage useful open space and pedestrian and non-vehicular interconnectivity, and provide a more desirable living environment with housing, employment, recreation and/or commercial opportunities particularly suited to the needs of the residents of the Township of Plymouth in the following zoning districts: C-2, Commercial; IND, Industrial; MR, Mid-Rise; OS, Office Service; OR, Office Research; and TAR, Technology and Research on parcels of one (1) acre or greater where the basic principles set forth in this Article are met.

It is understood that the PUD Option 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 a PUD Option be compatible and consistent with the availability of utilities, both existing and planned, for the area in which the PUD is proposed and best planning practices.

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 Encourage assembly of lots and redevelopment of outdated commercial properties.
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 that are consistent with the Ann Arbor Road Corridor Plan, and the conditions of Section 23.10B, General Conditions for Sites in the ARC and OS-ARC Districts.

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 within the Corridor.

For purposes of this Article, references to the “Township” shall include both the Planning Commission and Board of Trustees. References to the “Development Plan” shall include the tentative and final site plan, together with the PUD Contract, applicable Condominium Project Documents, and all requirements of Section 23.5.

SEC. 23.1 PUD OPTION ELIGIBILITY

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

1. The proposal is in conformity with the spirit and intent of the PUD Option as established in the Purpose Section of Article 23.
 2. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the PUD Option regulations.
 3. The site contains natural assets such as large stands of trees, rolling topography, significant views, swale areas, floodplains or wetlands which would be in the best interest of the community to preserve and which would otherwise be substantially destroyed without application of the PUD Option regulations. In the case of a proposed PUD Option to an existing, developed site which is absent of said natural features, this requirement can be satisfied by the creation of natural features and areas, gateways, and community amenities.
 4. 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. This includes the long-term protection of historic and cultural resources and significant architecture worthy of historical / cultural preservation and/or enhancement, if applicable.
 5. The (a) proposed uses; (b) location of said uses; and (c) height, bulk, location and character of structures 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
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lands and the general planning area as indicated by the Future Land Use Plan and adopted Master 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 Township 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 and adopted Master Plan.
8. In consideration of an existing, developed site only, the PUD 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 adopted Master Plan.

SEC. 23.2 CHANGE OF ZONING 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 AND REVIEW

Application for approval shall be made by the titleholder(s) of any tract where use of the PUD Option 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.

Adjacent Property Review. The applicant shall discuss said development proposal with adjacent property owners prior to Planning Commission review of the PUD Option. As part of the PUD Option application process, the applicant shall provide written documentation on the outcome of said discussions or documentation on why said discussion is not applicable or feasible.

SEC. 23.4 PUD OPTION ELIGIBILITY APPLICATION

Application for a PUD Option shall contain sufficient information to evaluate the proposed PUD's consistency with the Section 23.1, including the following information:

1. A metes and bounds survey and legal description of the acreage comprising the proposed PUD Option, including a disclosure of mineral rights ownership.
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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 PUD on the general planning area in which the PUD is located. The analysis shall include as a minimum the following:
 - (a) Contiguous Land Uses and Offsite Impacts. Indicate type and impact on adjoining lands, offsite impacts with significant externalities, 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 the general character of the proposed PUD Option. 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. A description and/or visual of the proposed recognizable and material benefit to the ultimate users of the project and to the community.
6. Other pertinent information necessary to enable the Township to review and make a determination concerning the desirability of applying the provisions of this Article.

SEC. 23.5 DEVELOPMENT PLAN APPLICATION

Following PUD Option approval by the Township Board, a Development Plan application must be submitted.

Information required for Development Plan approval shall be the same as required for 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 Development Plan shall meet all conditions of Township Board approval, and any final requirements determined necessary by provisions of this Ordinance. 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 Development Plan. For a multi-phased PUD, where sufficient final detail has not been determined or which is expected to change slightly, the 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.
2. A written narrative statement describing the proposed PUD, including a description of proposed uses, the architectural theme or style, the relationship of the proposed 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.
3. A PUD contract in conformance with Section 23.8.
4. If the proposed PUD will be a condominium, the Master Deed and By-laws in conformance with Section 23.13.
5. **Phasing**
Separate final site plan approvals may be granted on each phase of an approved multi-phased proposed PUD, subject to the following:
 - (a) The approved Development Plan for the entire proposed PUD shall be incorporated by reference and as an exhibit of the proposed 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 proposed PUD.
 - (c) Each phase shall include all improvements necessary to allow the developed portion of the proposed PUD to function and be occupied independent of improvements associated with future phases.

23.6 PUBLIC HEARING REQUIREMENTS

At least one (1) public hearing shall be held by the Planning Commission on a proposed PUD 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 to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request and to the occupants of all structures within 300 feet of the subject property. 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 PUD Option request.
2. Indicate the property which is the subject of the PUD Option request, including any street addresses, is available.
3. State when and where the PUD Option request will be considered.
4. Indicate when and where written comments will be received concerning the request.

SEC. 23.7 PUD APPROVAL PROCESS

1. PUD Option Eligibility

- (a) Planning Commission Action. Following the public hearing and having a complete PUD Option application, the Planning Commission may, recommend approval, table, disapproval or approval with conditions. 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 take action thereupon. The decision and basis for the decision shall be recorded in the meeting minutes.

If the Township Board denies the request to apply the provisions of the PUD Option, 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, 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 Development Plan to the Planning Commission for consideration.
- 2) Extension. A single, one (1) year extension 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 PUD Option.
- 3) PUD Option approval shall not constitute approval of a preliminary plat, final plat, final site development plan, or site condominium plan.

2. Development Plan

Within one (1) year of PUD Option approval by the Township Board, the applicant shall obtain Township Board approval of the Development Plan and PUD contract.

- (a) Planning Commission Action. The Planning Commission shall review the Development Plan for conformance to this Article, and any conditions of PUD Option approval and make a recommendation to the Township Board to approve, approve with conditions, or deny the proposed Development Plan.
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- (b) Township Board Action. Upon receipt of the Planning Commission's recommendation, the Township Board shall review the Development Plan and PUD contract, and shall deny, approve, or approve with conditions the Development Plan and PUD contract. The decision and basis for the decision shall be recorded in the meeting minutes.

If the Township Board approves the Development Plan and PUD contract, the applicant shall have a period of one (1) year to obtain a Building Permit from the Building Department.

- (c) Extension. A single, one (1) year extension of Development Plan and PUD contract 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 PUD entirely.

SEC. 23.8 CONTRACT REQUIREMENTS

In conjunction with the submission of a Development Plan, the applicant shall submit to the Township Board for approval a proposed PUD contract setting forth the conditions upon which approval of the PUD is based. After approval by the Township Board, the PUD 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 issuance of any Building Permit. 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 PUD.
6. The site analysis, development plan shall be incorporated by reference and attached as an exhibit.
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. 23.9 DIMENSIONAL AND DESIGN STANDARDS (All PUD's):

1. **Separation, Height and Setback Standards**
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- (a) The minimum distance between buildings shall equal ten (10) feet, plus four (4) feet for each story of the higher structure than two (2) stories. In reviewing the spacing between buildings, the Township 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 minimum perimeter yard setback of twenty-five (25) feet shall be provided. The perimeter yard setback shall increase five (5) feet for each story in excess of three (3) stories. 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, 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.

The Commission may also require additional perimeter yard setbacks 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 residential land.
 - 2) The PUD site is five (5) acres or larger.
 - 3) The PUD includes more than one hundred (100) residential units.
 - 4) To provide for adequate separation and buffering between the PUD and existing main buildings on adjacent parcels.
- (d) 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.

2. Design Standards

- (a) Open Space Standards.
 - 1. A minimum of 20% of total land area shall be allocated for open space, excluding setback provisions. Open space shall not include parking areas, driveways, or vehicle circulation routes.
 - 2. Preservation of desirable natural site amenities shall be encouraged. Emphasis shall be on preserving trees, waterways, swale areas, scenic points, historic points and other community assets and landmarks.
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3. Non-Residential / Mixed Uses. In addition to the above open space requirements, usable civic spaces shall be incorporated to provide a public focal point and may include: common areas, parks, plazas, greens, public gathering spaces, amphitheaters, stages, and similar areas. Civic spaces shall have a minimum of 1,000 square feet. To count as usable civic space, the area must be designed for pedestrian use and shall not be solely a landscaped area. Civic space shall not include parking areas, driveways, or vehicle circulation routes.
 4. Residential Uses. In addition to the above minimum open space requirements, the following shall be required for PUD's with residential uses:
 - i. 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.
 - ii. Common Residential Outdoor Living Space. A portion of the above dedicated open space area shall provide common recreation space for the occupants and 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.
- (b) Signs.
- All proposed signs shall comply with the requirements of Article 25: Sign Regulations of the Zoning Ordinance. Signs within the ARC and OS-ARC Districts shall be further subject to Section 23.11.
- (c) Street Design Standards.
1. Complete Streets. If appropriate, the PUD Option shall include a streetscape that provides for sidewalks, landscaping, street trees, special paving or pavers, irrigation, lighting and pedestrian-scale site furniture. Site furniture includes bicycle parking facilities for all residential uses and may be appropriate for other uses, including recreation, as determined by the Planning Commission.
 2. Building and Street Interface. If appropriate, consideration related to structures adjacent to streets, driveways, and streetscape frontage which address roof overhangs, balconies, awnings and signs shall be incorporated.
 3. Block Length. Unless otherwise justified, the maximum block length shall be established in the PUD to encourage pedestrian-friendly development and promote interconnectivity.
 4. Environmental / Cultural / Historic Considerations. If applicable, the PUD shall identify any existing historic, cultural or environmentally sensitive or unique resource(s) within the PUD and detail how the resource(s) is to be protected, managed and/or enhanced.

3. **Circulation, Interconnectivity, Parking and Loading Standards**

The exterior and interior vehicular and pedestrian circulation system planned for the proposed PUD Option shall be in the best interest of the public health, safety and welfare in regards to the general public and site future users. 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.

The circulation systems proposed shall take into consideration the overall circulation of the community as a whole, egress/ingress to the site, where vehicular joint and/or cross access is necessary and feasible, vehicular turning movements related to interior circulation, street intersections and street gradients, site distance and potential hazards to the normal flow of traffic. The following must be met:

- (a) Access. 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) Non-Motorized Network. A description of the proposed, non-vehicular circulation system must be provided for all sidewalks, multi-purpose pathways, bike lanes and running trails. The description shall include the type, width, location, material and design criteria of each pathway. Within and outside the PUD boundary, the street and pathway pattern shall link neighborhoods with roadways, destinations and other pathways. The Planning Commission shall determine the appropriate type and general location of such pathways.
 - (c) Road Standards. 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 Township 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) Traffic Calming. Traffic calming techniques, such as horizontal deflections, road narrowing, ripples, pavers, central islands, entry or gateway treatments, raised medians, on-street parking, roundabouts, textured pavements, and other similar treatments are encouraged where appropriate.
 - (e) Parking. Off-street parking shall be provided for all uses as specified in Article 24, except if an ARC or OS-ARC PUD site, as provided in Section 14. Mixed uses may have varied and shared demands; therefore, minor variations may occur if justified by the applicant and approved by the Township. All parking areas shall be screened from public rights-of-way, and where necessary to reduce offsite impacts, in a manner acceptable to the Township. 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.
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- (f) Loading. Off-street loading and unloading as specified in Article 24 of this Ordinance. Mixed uses may have varied and shared demands, therefore, minor variations may occur if justified by the applicant and approved by the Township.

4. Location and Utility Standards

- (a) 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.
- (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 services throughout the site, shall be placed and maintained underground at all points within the boundaries of the site.

5. 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.

The area used in computing overall residential density shall be the gross site area including any dedicated interior right-of-way and excluding the following:

- (a) Public rights-of-way, presently or ultimately equal to eighty-six (86) feet in width or greater.
- (b) All submerged bottom land of lakes and ponds.
- (c) Churches, public libraries and schools.

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.

6. Modification of Standards

The Planning Commission shall have the authority to vary the specific requirements of Section 23.9, 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.

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

- 1. Permitted Uses for Sites only in the C-2, IND, MR, OS, OR, and TAR districts.
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All uses of the underlying zoning district (separate or in combination; and permitted by right and by special use) may be permitted in a PUD upon determination by the Township that the proposed uses meet the criteria established in this Article.

2. Uses and facilities not specified.

Additionally, facilities and uses such as a restaurant, licensed restaurant or bar; residential uses; hotels and motels; civic and recreational facilities; and event facilities may be permitted within the PUD, provided the Commission and the Board of Trustees shall find that the proposed facility is consistent with this Article.

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

1. Permitted Uses for Sites only in the ARC district.

All uses from the underlying zoning district (separate or in combination; and permitted by right and by special use) may be permitted in a PUD upon determination by the Township that the proposed uses meet the criteria established in this Article.

Additionally, facilities such as a restaurant, licensed restaurant or bar; residential uses (townhouse dwellings, tacked flats and/or multi-family dwellings); hotels and motels; civic and recreational facilities; and event facilities may be permitted within the PUD, provided the Township shall find that the proposed use is consistent with this Article.

2. Permitted Uses for Sites only 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 Township that the proposed uses meet the criteria established in 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.
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- 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.”
- 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. Density and Building Setbacks.

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. Landscaping and Open Space.

All uses in a PUD in the ARC and OS-ARC Districts shall be further 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.

5. 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.
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- (b) All proposed signs shall be subject to review by the Commission as part of the Development Plan. 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.
- 6. 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.
- 7. 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.
- 8. All ARC or OS-ARC PUD sites 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 Township.
- 9. For ARC or OS-ARC PUD sites, 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 Township.

SEC. 23.12 AMENDMENT, TERMINATION AND REVOCATION

Township Board approval of the development plan and contract signifies the completion of the PUD application process. The applicant shall comply with all conditions and requirements of the 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 Development Plan for a PUD 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, excluding scope of work which is otherwise permitted by Section 29.4: Administrative Review.

2. Amendment

An approved Development Plan and contract may be amended as provided in this Article.

3. Termination

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

4. **Revocation**

A PUD 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.

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 Development Plan approval, the applicant shall submit the necessary documents to the Township and Township Attorney review prior to 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 PUD Option approval is based.
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.
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.
6. Address any other concerns of the Township regarding construction and maintenance.

Part II. VIOLATION AND PENALTY. Unless otherwise provided for, any person, corporation, partnership or any other legal entity who violates the provisions of this Ordinance shall be guilty of a misdemeanor and may be fined, at the discretion of the Court.

Part III. SEVERABILITY. If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions

shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion thereof.

Part IV. REPEAL OF CONFLICTING ORDINANCES. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Part V. SAVINGS CLAUSE. The repeal or amendment provided for herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending litigation or prosecution of any right established, or occurring prior to the effective date of this Ordinance as amended.

Part VI. PUBLICATION. The Clerk of the Charter Township of Plymouth shall cause a Notice of Adoption of this Ordinance to be published in the manner required by law.

Part VII. EFFECTIVE DATE. The provisions of this Ordinance shall be effective seven days after publication.

Part VIII. ADOPTION. This Ordinance was Adopted by the Charter Township of Plymouth Board of Trustees by authority of Act 110, of Public Acts of Michigan, 2006, as amended, at a meeting duly called and held on _____, 2018, and ordered to be given publication in the manner prescribed by law. This Ordinance may be purchased or inspected at the Plymouth Township Hall, Planning and Zoning Department, during regular business hours.

Adopted by the Board of Trustees on: _____

Effective Date: _____

Publish: _____