

Article 21: Residential Unit Developments

Amendments:

ARTICLE XXI

RESIDENTIAL UNIT DEVELOPMENTS

PURPOSE

The purpose of the Residential Unit Development (RUD) is to permit two (2) optional methods of development in R-1-E, R-1-H, R-1-S, and R-1 single family residential districts (on sites forty (40) acres and greater, and on sites eighty (80) acres and greater) that allow a mixture of types of residential units. It is the intent of this Article to permit development of residential patterns which encourage innovation in land use and variety in design, layout and type of structures, achieve economy and efficiency in the use of land, natural resources, energy and the provision of public services and utilities, encourage provision of useful open space and provide better housing suited to the needs of the residents of the Township, and ensure integration of the proposed development with the characteristics of the general planning area. Development under this Article shall be in accordance with a comprehensive physical plan establishing functional use areas, density patterns, open space and recreation and system of residential streets. The following regulations shall apply in all R-1-E, R-1-H, R-1-S, and R-1 Single Family Residential Districts, and shall be subject further to the provisions of this Ordinance and the Township Subdivision Ordinance with respect to final development approval.

SEC. 21.1 STATEMENT OF PRINCIPLES

The Residential Unit Development (RUD) is an optional method of development which may be permitted only after a public hearing, review and recommendation by the Planning Commission, and approval by the Township Board of Trustees. The proposed RUD shall reflect all of the following basic principles:

1. The proposal is in conformity with the purpose and intent 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 under normal subdivision development. This determination shall be made by the Planning Commission and Township Board after review of a documented site analysis submitted by the applicant. If a determination is made that the site does not contain any natural assets which would be in the best interest of the community to preserve, the Planning Commission and Board may give further consideration to the proposal if provisions are made within the development to provide open space which would provide a buffer between a major thoroughfare or expressway, or provide useable recreation open space with reasonable access to all dwellings in the development.

The intent is to provide neighborhood recreation open space and to supplement the existing natural features of the Township. The recreation open space and/or buffer area shall be improved with plantings and other features in a manner that would create a natural asset for the development and the community as a whole.

PURPOSE

SEC. 21.1

STATEMENT OF PRINCIPLES

Article 21: Residential Unit Developments

Amendments:

3. The proposed development shall be in harmony with the existing and proposed land patterns of adjacent properties, and the general planning area, and shall not negatively impact the stability and orderly development of adjacent lands and the general planning area as indicated by the Future Land Use Plan.
4. The proposed height, bulk, location and character of the structures proposed shall be in harmony with the existing and proposed structures on adjacent lands and in the general planning area and shall not negatively impact the stability of the orderly development of adjacent lands and the general planning area as indicated by the Future Land Use Plan.
5. The proposed location of uses which are of a significantly different scale or character than the abutting residential districts, such as access drives, parking areas, solid waste pick-up points, swimming pools, tennis courts and facilities of a similar nature 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 not negatively impact 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 development will not adversely impact the capability of public services and facilities in the area or the Township as a whole.
7. The gross acreage of the subject property shall be a minimum of forty (40) acres.

SEC. 21.2 CHANGE OF DISTRICT

No application shall be accepted for a use which will require a change in the overall density of the zoning district, unless said application is preceded by an application for a zoning district amendment.

SEC. 21.3 APPLICATION

Application for approval shall be made by the titleholder or titleholders of any parcel where use of the Residential 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.

SEC. 21.4 RUD OPTION APPLICATION INFORMATION

Application for approval of an RUD option shall contain sufficient information to evaluate the proposed RUD's consistency with Section 21.1, Statement of Principles, including the following:

1. A metes and bounds survey and legal description of the acreage comprising the proposed Residential Unit Development, including a disclosure of mineral rights ownership.

SEC. 21.2	CHANGE OF DISTRICT
SEC. 21.3	APPLICATION
SEC. 21.4	RUD OPTION APPLICATION
	INFORMATION

Article 21: Residential Unit Developments

Amendments:

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 Residential Unit Development on the general planning area in which the RUD 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 the general character of the proposed RUD. The conceptual development plan shall identify the general location and extent of housing types and densities, open space, general system of interior roadways, drainageways, open water and general intentions relating to grading within the site.
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. 21.5 GENERAL DEVELOPMENT PLAN APPLICATION INFORMATION

Following RUD option approval by the Township Board, a General Development Plan that contains sufficient information to determine the proposed development's conformance to Section 21.10, General Conditions, must be submitted for approval and shall contain the following information:

Article 21: Residential Unit Developments

Amendments:

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. Project Narrative

A written narrative statement describing the proposed RUD, including housing types, lot sizes, building designs and architectural themes or styles, types of exterior façade finish materials, the relationship of the RUD to the surrounding area, all anticipated impacts associated with the proposed project and measures to be taken to mitigate or minimize such 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.

2. An RUD Contract in conformance with Section 21.09.

3. If the proposed RUD will be a condominium, the Master Deed and By-laws in conformance with Section 21.14 shall be submitted.

4. The Planning Commission may require the submittal of typical building elevations that identify the general character of proposed buildings.

SEC. 21.6 FINAL DEVELOPMENT PLAN REQUIREMENTS

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 RUD development shall constitute the final development plan. For a multi-phased RUD, 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.

2. Phasing

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

(a) The approved final development plan for the entire proposed RUD shall be incorporated by reference and as an exhibit of the RUD contract for each phase.

SEC. 21.5	GENERAL DEVELOPMENT PLAN APPLICATION INFORMATION
SEC. 21.6	FINAL DEVELOPMENT PLAN REQUIREMENTS

Article 21: Residential Unit Developments

Amendments:

- (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 Residential Unit Development.
- (c) Each phase shall include all improvements necessary to allow the developed portion of the RUD to function and be occupied independent of improvements associated with future phases.

SEC. 21.7 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 Residential Unit Development in order to acquaint the public and adjoining property owners with the proposal prior to finishing of detailed plans and specifications by the petitioner. Notice of the 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 three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet 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 Residential Unit Development request.
2. Indicate the property which is the subject of the Residential 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 Residential Unit Development request will be considered.
4. Indicate when and where written comments will be received concerning the request.

SEC. 21.8 RESIDENTIAL UNIT DEVELOPMENT APPROVAL PROCESS

1. Residential Unit Development Option

- (a) Planning Commission Action. The Planning Commission shall review the proposed RUD for conformance with the provisions of this Ordinance, the intent and purpose of this Article, the statement of principles listed in Section 21.1 and

<p>SEC. 21.7 SEC. 21.8</p>	<p>PUBLIC HEARING REQUIREMENTS RESIDENTIAL UNIT DEVELOPMENT APPROVAL PROCESS</p>
--	---

Article 21: Residential Unit Developments

Amendments:

its compatibility with adjacent uses of land, the natural environment, and the capability of public services and facilities affected by the proposed RUD

Within a reasonable time following the public hearing, the Commission shall recommend to the Board of Trustees approval, denial or approval with conditions, of the RUD Option and concept plan. The Commission's recommendations shall be forwarded to the Township Board of Trustees stating the Commission's findings, recommendations and any recommended conditions of approval.

- (b) Township Board Action. Upon receipt of the recommendations of the Commission, the Township Board shall review the application, recommendations, and may approve, approve with condition, or deny the application.

If the Township Board denies the request to apply the provisions of the RUD 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.

If the Township Board of Trustees approves the request to apply the provisions of the RUD 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 terms and requirements of the RUD Option, conditions established by the concept plan and in the site analysis. Such approval shall be further subject to the following:

- 1) RUD Option approval shall not constitute approval of a preliminary plat, final plat, final site plan, or site condominium plan.
- 2) Approval Period: The approval of the Township Board grants the applicant a period of one (1) year from the date of RUD Option approval by the Board to submit a general development plan and RUD contract to the Planning Commission for recommendation to the Township Board and final approval by the Board.
- 3) Extensions: Extensions of RUD 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 Residential Unit Development.

Article 21: Residential Unit Developments

Amendments:

2. General Development Plan

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

- (a) **Planning Commission Action.** The Planning Commission shall review the general development plan for conformance to Section 21.10, General Conditions, and any conditions of RUD 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 RUD 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 RUD 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 Residential 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.

- (a) **Planning Commission Action.** The Planning Commission shall review the final development plan for conformance to Section 21.10, General Conditions, and the RUD contract and approve, approve with conditions, or deny the proposed general development plan.

Article 21: Residential Unit Developments

Amendments:

- 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 Residential Unit Development.

SEC. 21.9 CONTRACT REQUIREMENTS

Prior to or in conjunction with the submission of a general development plan, the applicant shall submit a proposed RUD contract for review and recommendation by the Planning Commission, and review and approval by the Township Board. Such contract shall set forth the conditions upon which the RUD Option approval is based. 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. Survey (metes and bounds) of the acreage comprising the proposed Residential Unit Development, including a legal description of the proposed RUD site.
2. The manner of ownership of the land, including mineral rights.
3. The manner of the ownership and of the dedication of the open land.
4. The restrictive covenants required for membership rights and privileges, maintenance and obligation to pay assessments for the open land.
5. 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 is planned or reasonably foreseen, and to the manner of assuring payment of obligations.
6. Provisions for the Township to effect construction, installation, repair, and maintenance and keep of public utilities, storm and sanitary sewers, and drainageways, water, streets, sidewalks, lighting and similar facilities, required open space areas, land and improvements associated with the approved RUD Option thereon, and any other conditions of the RUD approval or the general development plan, upon failure of the applicant to do so in accordance with contract requirements. This provision shall address the manner for assessment (and enforcement of assessments) of costs, expenses or fees incidental thereto against the applicant or owner(s) or occupants of the Residential Unit Development.
7. The site analysis and general development plan shall be incorporated by reference and as exhibits.

Article 21: Residential Unit Developments

Amendments:

8. If final plat, final site plan or final condominium site plan approval is granted for only a portion (phase) of the overall Residential Unit Development, an approved tentative preliminary plat, tentative site plan or tentative condominium site plan for the entire proposed RUD shall be incorporated by reference and as an exhibit to the RUD contract.
9. Provisions reasonably and necessarily intended to protect, the intent of this Article, the conditions of approval, public health, safety, or general welfare of the Township.

SEC. 21.10 GENERAL CONDITIONS

This Article provides for two (2) optional methods of developing residential property. When the gross area proposed for development is forty (40) acres or greater but less than eighty (80) acres and the applicant provides at least ten (10) percent open space, development shall be permitted under the specific conditions set forth in Sections 21.11. When the gross area is eighty (80) acres or greater and the applicant provides at least ten (10) percent open space, development shall be permitted under the specific conditions set forth in Sections 21.12.

1. Permitted Uses

The following uses shall be permitted in all Residential Unit Developments:

- (a) All principal permitted, accessory and special land uses allowed within the applicable residential zoning district shall be respectively permitted, subject to the requirements of the applicable district.
- (b) Multiple family dwellings, as defined in Section 36.2 and limited to no more than sixteen (16) dwelling units in any one (1) building.
- (c) Townhouse dwellings as defined in Section 36.2 and limited to no more than six (6) dwelling units in any one (1) building.
- (d) Stacked flat dwellings as defined in Section 36.2 and limited to no more than eighteen (18) dwelling units in a building.
- (e) Two family dwellings, as defined in Section 36.2.
- (f) One family cluster dwellings, which shall be defined as the attaching of no more than four (4) one family dwellings. The method by which the units may be attached shall be limited to the following:
 - 1) A common party wall in the garage portion of the unit only.
 - 2) Obscuring walls, architectural screens fencing or similar elements designed to create a private outdoor area.

Article 21: Residential Unit Developments

Amendments:

- 3) A common party wall between individual dwelling units, provided that each dwelling unit shall have a private exterior entrance with visual and physical separation from adjacent dwelling units; the exterior design of the building shall be compatible with the architectural style, size, overall floor area and height of nearby single family dwellings; and shall include acoustic controls and soundproofing materials in accordance with the standards established by the Chief Building Official for cluster housing.
- (g) Detached one family cluster dwellings, which shall be defined as a group of two (2) or more detached one family dwellings located on a common parcel of land under single or condominium ownership, and having any yard or court in common. Such dwellings shall not be subject to Section 21.10.4.

2. Calculation of Permitted Dwelling Unit Density

The area used in computing overall density shall be the gross site area including any dedicatable interior right-of-way less than eighty-six (86) feet in width and twenty-five (25) percent of the area of water located wholly within the boundaries of the parcel. The Planning Commission may vary the percentage of water area to be used in the density calculation, upon determination that such a decrease or increase would be within the purpose and intent of the RUD Option, and that the overall project would be in harmony with the existing and proposed land patterns of adjacent properties and the general planning area.

The following shall be excluded from the area used in computing overall density:

- (a) Dedicated or dedicatable interior and exterior-right-of-way equal to eighty-six (86) feet in width or greater. This shall be determined by the established street setback lines, in the case of existing streets.
 - (b) Water area which is not wholly within the boundaries of the parcel to be developed.
3. All dwellings defined and allowed pursuant to Section 21.10.1(b) through 21.10.1(f) shall require a land area not less than four thousand (4,000) square feet for each dwelling unit with not more than one (1) bedroom, and shall provide an additional one thousand (1,000) square feet for each additional bedroom. As a guide only, the densities based upon such minimum land area will not exceed the following:

UNIT TYPE	DWELLING UNITS PER ACRE
1 Bedroom Unit	10.9
2 Bedroom Unit	8.7
3 Bedroom Unit	7.3

Article 21: Residential Unit Developments

Amendments:

4. All one family dwellings shall be subject to the following:
 - (a) All one family dwellings shall comply with the height and minimum floor area requirements of Article 20, Schedule of Regulations.
 - (b) Standard lots shall conform to the requirements of Article 20, Schedule of Regulations, of this Ordinance or
 - (c) Modified lots shall conform to the following lot size and yard requirements:

MODIFIED LOT STANDARDS	R-1-E	R-1-H	R-1-S	R-1
Minimum Lot Area (square feet)	30,000	16,000	10,000	6,600
Minimum Lot Depth (feet)	150	140	120	110
Minimum Lot Frontage (feet)	125	100	80	60
Minimum Front Yard (feet)	45	35	30	25
Minimum Side Yard – One Side (feet)	15	10	10	5
Minimum Side Yards - Total of Two (feet)	30	20	20	16
Minimum Rear Yard (feet)	50	50	50	40
Minimum Rear Yard Abutting Open Space (feet)	50	40	40	30

5. **Open Space for Modified Lots**

For each square foot of land gained within a single-family residential development through the reduction of lot size, at least equal amounts of land shall be dedicated to the common use of the owners and/or residents of the land as open space, and developed in a manner approved by the Commission. A complete table indicating proposed area for each lot and the amount of square footage gained for each proposed lot shall be submitted with the proposal (see example in table below). Square footage gained for each shall be determined by subtracting the proposed reduced lot area from standard lot area as found in the Schedule of Regulations for the zoning of the subject property. No open space credit is given for lots greater than the minimum district requirement.

Example of Required Open Space Calculations:

LOT NUMBER	PROPOSED LOT AREA	REQUIRED LOT AREA	DIFFERENCE	REQUIRED OPEN SPACE
1	16,000 sq.ft.	21,780 sq.ft.	(5,780)	5,780 sq.ft.
2	25,000 sq.ft.	21,780 sq.ft.	3,220	(3,220 sq.ft.)
3	18,500 sq.ft.	21,780 sq.ft.	(3,280)	3,280 sq.ft.
MINIMUM REQUIRED OPEN SPACE				9,060 sq.ft.

Article 21: Residential Unit Developments

Amendments:

6. Required Yards (as amended 10/25/07)

The actual arrangements of buildings, distances between buildings and use of yard areas shall be subject to review and approval by the Planning Commission. The Commission may require additional separation distance between units or clusters to ensure that the intent of the Ordinance is carried out and the public health, safety and welfare of the community is adequately served.

(a) Yard requirements for attached one family dwelling clusters, and detached one family dwelling clusters shall be provided based on the following:

- 1) A minimum of ten (10) feet shall be provided between each detached unit except that the distance between or between a garage and a living area may be reduced to six (6) feet. In the above mentioned situations the applicant shall clearly indicate the intended use of the area and the proposed elevations facing each other. Where the space between is intended for use as an outdoor living space, the area shall be a minimum of twenty (20) feet.
- 2) Minimum spacing between clusters shall be determined by the number of living units that are arranged in any cluster group, as shown in the following table:

NUMBER OF LIVING UNITS PER CLUSTER	MINIMUM DISTANCE BETWEEN CLUSTERS (feet)
1 Unit Cluster and a 1 Unit Cluster	10.0
1 Unit Cluster and a 2 Unit Cluster	15.0
1 Unit Cluster and a 3 Unit Cluster	20.0
1 Unit Cluster and a 4 Unit Cluster	25.0
2 Unit Cluster and a 2 Unit Cluster	20.0
2 Unit Cluster and a 3 Unit Cluster	25.0
2 Unit Cluster and a 4 Unit Cluster	30.0
3 Unit Cluster and a 3 Unit Cluster	30.0
3 Unit Cluster and a 4 Unit Cluster	40.0
4 Unit Cluster and a 4 Unit Cluster	40.0

- 3) The minimum building setback in a RUD 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.

Article 21: Residential Unit Developments

Amendments:

- 4) Where a building in an RUD 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.

SEC. 21.11 CONDITIONS SPECIFIC TO FORTY ACRES OR GREATER

Residential Unit Developments of forty (40) acres or greater, and developed pursuant to this section, shall conform to the following requirements:

- 1. Overall density shall not exceed the following dwelling units per acre:

ZONING DISTRICT	MAXIMUM NUMBER OF DWELLING UNITS PER ACRE
R-1-E	0.86
R-1-H	1.70
R-1-S	3.05
R-1	5.00

- 2. Open space shall be provided in at least the amount gained by lot size reduction as provided in Section 21.10.4(c), but in no case shall it be less than ten (10) percent of the Residential Unit Development.
- 3. The total number of dwelling units of the types as defined in Section 21.10.1(b) through 21.10.1(g) combined, shall be limited to thirty-five (35) percent of the total number of dwelling units in the development.
- 4. Development of a RUD in the R-1-E District:

Development of a RUD in a R-1-E Zoning District may be permitted consistent with the following requirements where only detached one family residential dwellings on individual lots are proposed, provided the following requirements are met:

- (a) Overall density of the proposed Residential Unit Development shall not exceed one (1) dwelling unit per acre.
- (b) A minimum of ten (10) percent of the gross area of the Residential Unit Development shall be provided as open space. The provisions as found in Section 21.11.2 shall not apply.
- (c) All other specific requirements as found in Section 21.10.4(b) shall apply in regard to lot size reduction.

Article 21: Residential Unit Developments

Amendments:

- (d) All other specific requirements as found in Article 21 shall apply, except where they are in conflict with the above requirements.

SEC. 21.12 CONDITIONS SPECIFIC TO EIGHTY ACRES OR GREATER

Residential Unit Developments of eighty (80) acres or greater, and developed pursuant to this section, shall conform to the following requirements:

- 1. Overall density shall not exceed the following dwelling units per acre:

ZONING DISTRICT	MAXIMUM NUMBER OF DWELLING UNITS PER ACRE
R-1-E	1.30
R-1-H	2.20
R-1-S	3.05
R-1	5.00

- 2. Open space shall be provided in at least the amount gained by lot size reduction as provided in Section 21.10.4(b), but in no case shall it be less than ten (10) percent of the Residential Unit Development.
- 3. The total number of multiple family, stacked flat and townhouse dwelling units, as defined in Section 21.10.1(b) through 21.10.1(g) combined, shall not exceed thirty-five (35) percent of the total number of dwelling units in the development. Any such units must comply with the restrictions for multiple family, townhouse or other unit types as listed in Section 21.10.1 (b) through (g).
- 4. The total number of detached one family dwellings units that have been modified pursuant to Section 21.10.4 of this Article, shall be not less than fifty-five (55) percent of the total number of dwelling units in the development.
- 5. A perimeter strip not less than three hundred sixty (360) feet in depth shall be placed around the outer boundaries of the total area where the proposed Residential Unit Development abuts, in whole or in part, land in a One Family Residential District. Use and development of land within this perimeter strip shall be limited to the following:
 - (a) The perimeter strip shall only be developed in complete conformity with the requirements of Article 20 applicable to the abutting One Family Residential District, and shall contain only one family dwellings. All other permitted or conditional uses otherwise applicable to the zoning district shall be prohibited in the perimeter strip.

Article 21: Residential Unit Developments

Amendments:

- (b) A reduction in lot size may be permitted within the perimeter strip, in accordance with Section 21.10.4(b), based upon the applicable abutting zoning district requirements.
 - (c) The perimeter strip may also be used for an elementary school playground, park, golf course or similar open space which is recorded in perpetuity for said purpose.
 - (d) The Planning Commission may modify the three hundred sixty (360) foot perimeter strip depth requirement upon determination that a greater or lesser perimeter strip would be in better proportion to the total area of the development due to topography or existing development on the abutting land.
7. Where the proposed Residential Unit Development abuts a major thoroughfare having an existing or ultimate right-of-way of one hundred twenty (120) feet or more, the perimeter strip required above may contain attached one family dwelling clusters, detached one family dwelling clusters. The density of such clusters shall not be greater than three and one-half (3 ½) dwelling units per acre. The depth of the perimeter strip shall be measured from the nearest edge of the street setback line, and shall not be less than three hundred sixty (360) feet in depth.

8. Development of an RUD in the R-1-H District:

Development of an RUD in the R-1-H zoning district where only detached one family residential dwellings on individual lots are proposed, and no other uses as defined under Section 21.10.1 (b) through (g) are proposed, the modification of lot size and yard requirements as defined in Section 21.10.4(b) may be further modified provided the following requirements are met:

- (a) No lot proposed shall be less than twelve thousand (12,000) square feet in area.
- (b) A minimum of fifty-five (55) percent of the lots proposed shall be thirteen thousand (13,000) square feet or greater.
- (c) No lot shall be less than ninety (90) feet in width.
- (d) A minimum of forty-five (45) percent of the lots proposed shall be one hundred (100) feet in width or greater.
- (e) Overall density of the proposed Residential Unit Development shall not exceed 2.2 dwelling units per acre.
- (f) All other applicable requirements of the RUD Option are met.

9. Development of a RUD in the R-1-E District:

Development of a RUD in a R-1-E Zoning District may be permitted consistent with-the following requirements where only detached one family residential dwellings on individual lots are proposed, and no other uses as defined under Section 21.10.1(b) through (g) are proposed provided the following requirements are met:

Article 21: Residential Unit Developments

Amendments:

- (a) Overall density of the proposed Residential Unit Development shall not exceed one (1) dwelling unit per acre.
- (b) A minimum of ten (10) percent of the gross area of the Residential Unit Development shall be provided as open space. The provisions as found in Section 21.12.2 shall not apply.
- (c) All other specific requirements as found in Section 21.10.4(b) shall apply in regard to lot size reduction.
- (d) All other specific requirements as found in Article 21 shall apply, except where they are in conflict with the above requirements.

SEC. 21.13 AMENDMENT, TERMINATION AND REVOCATION

Final approval by the Township Board of the general development plan and contract signifies the completion of the Residential Unit Development application process. The applicant shall comply with all conditions and requirements of the general 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 general development plan for Residential 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 general development plan and contract may be amended in the same manner provided in this Article for approval of the original general development plan and contract.

3. Termination

An approved general development plan and contract may be terminated by the applicant prior to any development within the Residential 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 general development plan and contract shall terminate upon said recording. No approved general development plan and contract shall be terminated after any development commences within the Residential Unit Development area, except with the approval of the Township Board and of all parties of interest in the land.

Article 21: Residential Unit Developments

Amendments:

4. Revocation

A Residential 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.

SEC. 21.14 CONDOMINIUM PROJECTS

For any condominium proposed as a RUD, 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.

As part of the General Development Plan application, 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 approval 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. Assurance that trees, waterways and woodlands will be preserved as shown on the General Development Plan.
5. Assurance that 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 RUD. In the case of a phased RUD, this equipment 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 21. 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 21: Residential Unit Developments
Amendments:

ALL AMENDMENTS TO
ARTICLE XXI (21)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 21: Residential Unit Developments

Amendments:

ALL AMENDMENTS TO ARTICLE XXI (21)

The following language was amended on 10/25/07

6. Required Yards

The actual arrangements of buildings, distances between buildings and use of yard areas shall be subject to review and approval by the Planning Commission. The Commission, may require additional separation distance between units or clusters to ensure that the intent of the Ordinance is carried out and the public health, safety and welfare of the community is adequately served.

(a) Yard requirements for attached one family dwelling clusters, and detached one family dwelling clusters shall be provided based on the following:

- 1) A minimum of ten (10) feet shall be provided between each detached unit except that the distance between or between a garage and a living area may be reduced to six (6) feet. In the above mentioned situations the applicant shall clearly indicate the intended use of the area and the proposed elevations facing each other. Where the space between is intended for use as an outdoor living space, the area shall be a minimum of twenty (20) feet.
- 2) Minimum spacing between clusters shall be determined by the number of living units that are arranged in any cluster group, as shown in the following table:

NUMBER OF LIVING UNITS PER CLUSTER	MINIMUM DISTANCE BETWEEN CLUSTERS (feet)
1 Unit Cluster and a 1 Unit Cluster	10.0
1 Unit Cluster and a 2 Unit Cluster	15.0
1 Unit Cluster and a 3 Unit Cluster	20.0
1 Unit Cluster and a 4 Unit Cluster	25.0
2 Unit Cluster and a 2 Unit Cluster	20.0
2 Unit Cluster and a 3 Unit Cluster	25.0
2 Unit Cluster and a 4 Unit Cluster	30.0
3 Unit Cluster and a 3 Unit Cluster	30.0
3 Unit Cluster and a 4 Unit Cluster	40.0
4 Unit Cluster and a 4 Unit Cluster	40.0

(b) Yard requirements for townhouse dwellings, stacked flats and multiple family structures shall comply with Article 20, Schedule of Regulations for R-2-A Zoning District.

Charter Township of Plymouth Zoning Ordinance No. 99

Article 21: Residential Unit Developments

Amendments:

The following language was amended on 9/30/07

SEC. 21.7 PUBLIC HEARING REQUIREMENTS

A public hearing shall be held by the Planning Commission on a proposed Residential Unit Development in order to acquaint the public and adjoining property owners with the proposal prior to finishing of detailed plans and specifications by the petitioner. Notice of the 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 three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet. The notice shall be given not less than five (5) nor 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 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 Residential Unit Development request.
2. Indicate the property which is the subject of the Residential Unit Development request.
3. State when and where the Residential Unit Development request will be considered.
4. Indicate when and where written comments will be received concerning the request.