

CHAPTER 25
PUD PLANNED UNIT DEVELOPMENT DISTRICT

SECTION 25.01 DESCRIPTION AND PURPOSE. The use, area, height, bulk, and placement regulations of this Ordinance are primarily applicable to the usual situation of one principal building on a lot. In certain large developments, these requirements would result in situations less in the interest of public health, safety, and welfare than if a controlled degree of flexibility were allowed. The PUD Planned Unit Development District is intended to accomplish the objectives of the Plainfield Charter Township Zoning Ordinance through a land development project review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

It is intended that this District shall afford each type of land use reasonable protection from encroachment or interference by other incompatible land uses, and that reasonable protection be afforded to uses adjacent to this District. Areas may be zoned under this District when problems of size, shape, terrain, topography, adjacent uses, or natural resources may require special regulations.

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

SECTION 25.02 USE REGULATIONS. Land in the PUD District may be developed for various compatible uses allowed by the Plainfield Charter Township Zoning Ordinance and for other uses not specifically provided for in the Plainfield Charter Township Zoning Ordinance.

SECTION 25.03 PROCEDURES. Any Zoning District in Plainfield Charter Township may be rezoned a PUD Planned Unit Development District provided the procedures and requirements set forth in the following sections are met.

SECTION 25.04. PRELIMINARY DEVELOPMENT PLAN – SUBMISSION AND CONTENT. Applicants shall submit to the Community Development Department plans of a preliminary development plan. Said plan shall set forth, in general terms, the proposed uses to be developed in the PUD District, and the following information:

- A. Legal description of property
- B. Small scale sketch of properties, streets, and uses within one quarter mile of the area
- C. A map to scale showing any existing or proposed arrangement of:
 - 1. streets
 - 2. lots and buildings
 - 3. access points
 - 4. other transportation arrangements
 - 5. buffer strips
 - 6. square footage of non-residential buildings
 - 7. location, size, and type of sign(s)

- D. A narrative describing:
 1. the overall objectives of PUD
 2. number of acres allocated to each proposed use
 3. gross and net densities (see Section 24.14 for clustering/open space option)
 4. proposed method of providing sewer and water service as well as other public and private utilities
 5. proposed method of providing storm drainage

In addition to the above required information, said applicant shall submit a fee as established by the Plainfield Charter Township Board.

SECTION 25.05. PLANNING COMMISSION REVIEW OF PRELIMINARY DEVELOPMENT PLAN. The Planning Commission shall review the preliminary development plan and make recommendations to the applicant based on all the requirements of this Ordinance and specifically the following considerations where applicable:

- A. Ingress and egress to property and proposed structures thereon with particular reference to motor vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire, catastrophe, or emergency;
- B. Off-street parking and loading areas where required, with particular attention to the items in subparagraph (A.) above and the economic, noise, glare, or odor effects of each use in the PUD on adjoining properties and properties in the proposed PUD;
- C. Refuse and service areas with particular reference to the items in subparagraph (A.) and (B.) above;
- D. Utilities with reference to locations, availability, and character;
- E. Screening and buffering with reference to type, dimensions, and character;
- F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with adjoining properties in the proposed PUD;
- G. Required yard and other open space:
- H. General compatibility with adjacent properties and other property in the proposed PUD;
- I. The general purposes and spirit of this Ordinance and the Comprehensive Plan.

SECTION 25.06. TRANSMITTAL OF PLANNING COMMISSION RECOMMENDATION. The Planning Commission shall transmit its recommendation to proceed or not to proceed with the provisions as herein provided, along with any recommended changes or modifications in the preliminary development plan to the applicant. A copy of the Planning Commission's recommendations shall be transmitted to the Township Board. During this time period, the Planning Commission may call an advisory public hearing for the purpose of receiving comments relative to the preliminary development plan giving such notice thereof as it shall deem appropriate.

SECTION 25.07. FINAL DEVELOPMENT PLAN SUBMISSION AND APPLICATION FOR REZONING. After receiving the recommendations of the Planning Commission on the preliminary development plan, an applicant proceeding under this PUD Planned Unit

Development District shall submit a development application and copies of a final development plan to the Planning Department.

SECTION 25.08. FINAL DEVELOPMENT PLAN CONTENT. The final development plan shall include such of the following information as the Planning Commission finds reasonably necessary:

- A. A plot plan based on an accurate certified property survey and prepared by a registered engineer, surveyor, planner, or architect showing:
 - 1. location, size and type of present buildings to be retained or removed
 - 2. location of proposed buildings or improvements
 - 3. location of existing and proposed streets, drives, loading areas, and parking lots
 - 4. location of water, sewer, and other utility lines
 - 5. storm drainage
 - 6. topographical features, including contour intervals at no greater than five feet
 - 7. ditches and watercourses
 - 8. ground cover and other pertinent physical features of site such as trees
 - 9. proposed landscaping
 - 10. location of existing improvement
 - 11. location of lot lines
 - 12. existing and approved easements
 - 13. Boundaries of the 100 year floodplain
 - 14. Boundaries of any wetlands
 - 15. Minimum building floor opening elevations
- B. Preliminary architectural sketches and/or a general statement as to the type of construction and materials to be used in the proposed buildings. Height and area of buildings and structures shall be described.
- C. The period of time within which the project will be completed
- D. Proposed phasing of the project, if any.
- E. Gross area in building and parking ratios.
- F. Gross and net densities.
- G. Delineation of the normal high water mark or the one hundred year floodplain and any proposed used therein.
- H. A description of all aspects of such plan which might have material adverse effect on public health, safety and welfare, or nearby properties, streams, or rivers.
- I. Current proof of ownership of land to be utilized or evidence of a contractual ability to acquire this land, such as an option or purchase contract.
- J. Additional information which the Planning Commission may find reasonably necessary to evaluate the proposed PUD and its effect on the surrounding neighborhood and the Township in general.

SECTION 25.09. PUBLIC HEARING. The Planning Commission shall hold a public hearing in accordance with the provisions of this Ordinance set forth in Chapter 34 pertaining to amendments to this Ordinance and Section 14 of Public Act 184 of 1943, as amended pertaining

to rezonings for the purpose of receiving comments relative to the final development plan and the proposed rezoning.

SECTION 25.10. PLANNING COMMISSION REVIEW OF FINAL DEVELOPMENT PLAN. The Planning Commission shall consider the final development plan based on all the requirements of this Ordinance and specifically the considerations listed in Sections 25.05 and 25.08 and shall, when appropriate, recommend that specific changes be made to conform with the spirit, purpose, intent and provisions of this Ordinance and the intent and purpose of the Comprehensive Plan.

If the Planning Commission shall determine that the proposed use of the land as shown on the final development plan might have an enervating, debilitating or offensive effect on adjacent properties, whether industrial, commercial, residential or other, through the conflicts of noise, smoke, odor, dust and dirt, noxious gases, glare and heat, vibrations, fire or explosion hazards, liquid or solid industrial wastes, traffic, or adverse aesthetic effects, the Commission may require the owner, through the use of qualified technical persons and acceptable testing techniques, to demonstrate the devices which shall be utilized to control the factors determined to be offensive. Upon acceptance by the Planning Commission of such control devices, they shall be incorporated as a part of the final development plan.

SECTION 25.11. PLANNING COMMISSION APPROVAL OF THE FINAL DEVELOPMENT PLAN AND RECOMMENDATION FOR REZONING. The Planning Commission shall forward a Zoning Report to the Township Board regarding its recommendation. The Planning Commission may approve the final development plan with changes as it deems appropriate. Upon approval of the rezoning request by the Township Board, the final development plan, as recommended for approval by the Planning Commission, shall be incorporated into, and become a part of, the zoning ordinance text and map. In the event the Planning Commission does not recommend the final development plan for approval, it shall be returned to the applicant and a copy forwarded to the Township Board with appropriate notations as to why the development plan was not recommended for approval.

SECTION. 25.12. REZONING BY THE TOWNSHIP BOARD. After the Planning Commission has recommended approval or denial of the final development plan, the Township Board shall act upon the rezoning request. Approval of the rezoning request shall be in accord with the procedures established in this Ordinance. In the event the Township Board disapproves the rezoning request, it shall notify the applicant, stating the reasons therefore.

SECTION. 25.13. SITE PLAN APPROVAL. Upon approval of the rezoning and prior to the issuance of any building permit, the applicant is required to obtain site plan approval in accordance with the provisions of Chapter 32 for the entire project or any phase as proposed and approved in the Section 25.08 D.

SECTION 25.14. GENERAL PROVISIONS: PUD PLANNED UNIT DEVELOPMENT DISTRICTS.

- A. Minimum Size- In order to be zoned as a PUD District, the proposed area shall consist of at least five acres and have a minimum of two hundred feet of frontage on a public or approved private street.
- B. Sewer and Water Service - In the event public sewer and/or water service is not available at the time of development, the PUD may utilize a private sewer and/or water system, provided such sewer and/or water system is approved by the Kent County Department of Public Works and/or Health Department, the Township Board, and the Township Engineer. At such time as public sewer and/or water service is available, the developer shall make arrangements to connect to said sewer and/or water system.

- C. Maximum Residential Densities (dwelling units per acre) – In any PUD District which includes residential dwelling units the maximum densities shall be determined on the basis of the gross area of the proposed PUD District devoted to residential use divided by the total number of dwelling units.

In the following districts, the maximum permitted density can vary within any residential district with the utilization of the clustering/open space preservation technique. For the purposes of this chapter, the “clustering/open space preservation technique” is a predominately single family, attached and detached residential development in which dwellings units are placed together into one or more groupings within a defined project area. The dwelling units are separated from adjacent properties or other groupings of dwellings by substantial open space that is perpetually protected from development.

A guideline of the possible maximum permitted density, minimum lot size and lot width when utilizing the clustering/open space technique is provided in the following tables for areas master planned Rural Preserve and Rural Estate:

**MINIMUM LOT SIZE FOR SINGLE FAMILY RESIDENTIAL
USING THE CLUSTERING/OPEN SPACE TECHNIQUE**

**WITH PUBLIC
WATER OR SANITARY SEWER (NOT BOTH)**

**WITH PUBLIC
WATER AND SANITARY SEWER**

Comprehensive Plan Designation	Max. Gross Density	Min. Lot Size	Min. Lot Width	Max. Gross Density	Min. Lot Size	Min. Lot Width
RP	1 unit per 3 acres	80,000 sq.ft.	200 ft.	1 unit per 3 acres	30,000 sq.ft.	150 ft.
RE	1 unit per 1.5 acres	40,000 sq.ft.	150 ft.	1 unit per acre	15,000 sq.ft.	100 ft.

**MINIMUM SETBACKS FOR LOTS WITH PUBLIC WATER AND
SANITARY SEWER USING THE CLUSTERING/OPEN SPACE TECHNIQUE ***

Setback	RP	RE
Front Yard	50 ft.	40 ft.
Side Yard	20 ft. 40 ft. (corner lot)	10 ft. 30 ft. (corner lot)
Rear Yard	75 ft.	50 ft.

*Setback requirements for lots with public water or sanitary sewer (not both) shall comply with the District requirements.

The amount of open space shall be, at a minimum, 40 percent of the gross area of the site as dedicated open space. The following land areas shall not be classified as dedicated open space for the purposes of this section:

1. The area within any public street right-of-way.
2. The area within private road access right-of-way.
3. Any easement for overhead utility lines unless adjacent to qualified open space.
4. Fifty percent (50%) of any lakes, streams, retention ponds or other

5. surface water bodies, or wetlands.
5. Fifty percent (50%) of a golf course.
6. The area within a platted lot or site condominium unit.
7. Parking and loading areas.

Open space shall be required along any existing public road frontage abutting the site. The depth of these areas shall be at least 100 feet not including the public right-of-way, and this area shall be left in its natural condition or landscaped to help reduce the view of houses on site from the adjacent roadway and to preserve the rural view.

The applicant shall provide an open space preservation and maintenance agreement to the Planning Commission and Township Board stating that all dedicated open space portions of the development shall be maintained in the manner approved. The agreement must be acceptable to the Township Board and may consist of a deed restriction, covenants that run perpetually with the land, or a conservation easement in recordable form and enforceable by the Township. Documentation of recording shall be provided to the Township before building permits are issued.

- D. Comparison Plan. For residential Planned Unit Developments, the Planning Commission and/or Township Board may require the preparation and submittal by the applicant a feasible Comparison Plan based on the underlying zoning. The Comparison Plan shall meet the requirements of Chapter 32, Site Plan Review and be reviewed by the Community Development Department for compliance with the requirements of the underlying zoning. The Community Development Department shall provide an evaluative report on the feasibility of the comparison plan. The number of dwelling units illustrated on a feasible comparison plan may be used by the Planning Commission and Township Board as guideline in determining the appropriate density.
- E. Performance Bonds/Letter of Credit- The Planning Commission is empowered to require a performance bond, letter of credit, or certified check in an amount up to the estimated cost of improvements associated with the project. Such performance guarantee shall be deposited with the Clerk of the Township at the time of the issuance of the permit authorizing the activity or project to insure faithful completion of the improvements indicated with the approved site development plan; if not, said performance bond shall be forfeited. The Township shall rebate a proportional share of the deposit, shown requested by the depositor, based on the percent of improvements completed as attested to by the depositor and verified by the Community Development Director. The Community Development Director may, at his discretion, call upon professional assistance from the Township Engineer. In cases where the provisions of the final development plan, as approved, have not been met, the amount of the aforementioned performance guarantee shall be used by the Township to return the property to a safe and healthy condition; and the balance, if any, shall be returned to the applicant.
- F. Time limitations on Development – A building permit shall be taken out or construction activity must have begun for each PUD and the project shall be under construction within one year after the date of final approval by the Township Board. If said development does not fulfill this provision, the Planning Commission may grant a one-year extension provided the developers request an extension in writing before the one year period expires and present reasonable evidence to the effect that the PUD has encountered unforeseen difficulties but is

now ready to proceed. Should the aforementioned provisions not be fulfilled, the Planning Commission may initiate proceedings to rezone the property back to its previous zone district classification.

- G. Required Improvements Prior to Issuance of Occupancy Permit. The Planning Commission is hereby empowered to stipulate that all required improvements be constructed and completed prior to issuing an occupancy permit. In the event said improvements are partially completed to the point where occupancy would not impair the health, safety, and general welfare of residents, but are not fully completed, the Planning Commission may, upon the recommendation of the Community Development Director, grant an occupancy permit so long as the developer deposits a performance bond with the Township Clerk in an amount equal to the cost of the improvements yet to be made; said improvements to be completed within one year of the date of issuance of the occupancy permit.
- H. The Planning Commission and the Township Board are specially authorized to require the recording of a plat or master deed for a condominium development in connection with any such application when such would be required by the Subdivision Control Act of 1967, as amended, for the State of Michigan.
- I. Additional Provisions - All of the provisions of the Zoning and other ordinances of the Township shall control in the PUD District except where inconsistent therewith, in which case the provisions of the PUD District shall supersede and control any other such provisions.
- J. The Planning Commission and Township Board may impose reasonable conditions with any approval.