

CHAPTER 16

“PUD-2” MEDIUM DENSITY RESIDENTIAL PUD DISTRICT

SECTION 16.1 PURPOSE. The PUD-2 zone is intended to provide locations for higher density residential uses than allowed in the PUD-1 zone district. The flexible provisions of the PUD-2 zone are expected to provide an incentive for the development of residential projects which promote the character and aesthetic qualities of the land and surrounding areas, preserve natural resources and natural features to the fullest extent possible, encourage open space, and which are compatible in appearance and use with the neighboring properties.

SECTION 16.2 USES PERMITTED. Except as otherwise provided by this Chapter, land in the Medium Density Residential Planned Unit Development zone may be used only for the following purposes:

1. Single family detached dwelling units.
2. Two family attached dwelling units (duplexes).
3. Multi-family buildings with a maximum of 12 dwelling units per building.
4. A home occupation, subject to the provisions of Section 4.16 of this ordinance.
5. Uses, structures and buildings which are customarily incidental to the permitted principal uses and which are approved by the Township Board.

SECTION 16.3 USES PERMITTED SUBJECT TO SPECIFIC AUTHORIZATION FROM THE TOWNSHIP BOARD. The following uses are also permitted within the PUD-2 zone when specifically authorized by the Township Board upon the recommendation of the Planning Commission. The uses shall be developed in accordance with standards provided for PUDs and the specific standards applicable to each use as set forth elsewhere in this Ordinance, except that the Township Board in its discretion may vary those specific standards in order to achieve the intent and purposes of the PUD:

1. Churches and other places of religious assembly
2. Retirement housing
3. Group Daycare Homes
4. Child Care Centers
5. Adult Daycare Centers
6. Parks, playgrounds and similar recreational uses

SECTION 16.4 YARD, BUILDING AND AREA REQUIREMENTS FOR ALL USES. The lot area, lot width, building setback, and yard requirements applicable within a PUD shall be determined for PUD by the Planning Commission and Township Board, based on the application of site planning criteria to achieve integration of the project with the characteristics of

the project area. In making these determinations, the criteria considered shall include the following:

1. Overall design of the project relative to its compatibility with nearby existing or proposed land uses.
2. Number and type of dwelling units
3. Proximity to adjacent existing and future land uses.
4. Preservation of existing vegetation or other natural features on site.
5. Topography of the site.
6. Provision of water, sanitary sewer and storm sewer.

SECTION 16.5 PERMITTED DENSITY.

1. Based upon the recommendations of the Planning Commission, the Township Board shall determine the density for a PUD in the PUD-2 zoning district. In no case, however, shall the density of a project exceed 10 dwelling units per acre. In determining the maximum allowable density, the Planning Commission and the Township Board shall be guided by the application of site planning criteria to achieve integration of the project with the characteristics of the project area, and shall consider factors including the impacts of the density of the proposed PUD on existing densities in the area and the intent and purpose of the PUD-2 zoning district.
2. The total number of dwelling units permitted within a PUD shall be computed by multiplying the maximum permitted density (units per acre) by the total acreage of the PUD property, excluding land within public or private road rights-of-way and public easements, flood-plain and wetland areas, and areas permanently inundated by water. The Michigan Department of Natural Resources shall make the final determination of the Existence of wetlands and floodplain areas on a parcel.

SECTION 16.6 REQUIRED CONDITIONS.

1. Open Space. Each PUD shall provide and maintain open space areas as provided by this section:
 - a. A PUD shall contain open space areas equal to a minimum of 20% of the total area proposed for PUD rezoning.
 - b. The open space shall be maintained by the developer or homeowner's association and shall be set aside for the common use of the home or lot owners within the PUD.
 - c. For purposes of this section, open space shall be deemed to be only those areas having a minimum dimension of 50 feet by 100 feet, unless smaller dimensions are approved by the Planning Commission for linear

"no disturb zones" established for the purposes of screening and tree preservation.

- d. Unless specifically authorized by the Planning Commission and Township Board, lot area calculated in meeting minimum lot or building site area requirements or which support public or private street rights of way, driveways and parking areas will not be included in open space percentage calculations. In addition, unless specifically waived or modified by the Township, the following guidelines shall apply:
 - i. All areas included in the calculation of percentage of open space must be protected by agreement, deed or easement as indicated in the following Subsection e.
 - ii. Side walks, pathways and other active or passive recreational facilities will be considered in the open space calculation where they are an integral part of a larger open space area.
 - iii. Lakes and other areas permanently inundated by water, wetlands and floodplain areas and other areas determined to be non-buildable will be included in the open space percentage calculation.
 - e. Prior to approval of a final development plan, the applicant shall provide to the Planning Commission an open space agreement or restrictive covenants, as determined appropriate and sufficient by the Commission. The agreement (or covenants) shall include a legal description of the PUD area, a legal description of the area to be set aside as common open space and a plan for permanent maintenance of the open space. Upon approval of the final development plan, the applicant shall record the open space agreement with the Kent County Register of Deeds. The agreement shall be binding upon the applicant-developer and all successors and assigns of the grantor and grantee of all lots or parcels within the project area. In the case of a PUD site condominium, the open space agreement may be included in the Master Deed.
2. Unit Size. Except as provided by Section 16.6(2)(d), each dwelling unit located within a PUD shall contain the following minimum amount of floor area:
- a. Single family detached dwelling:
 - i. Single story dwelling unit, with basement - 1040 sq. ft. on first floor.
 - ii. Two story dwelling unit - 720 sq. ft. on first floor, but not less than 1040 total sq. ft. for each dwelling unit.
 - iii. All other single family detached dwelling units - 1700 sq. ft. total sq. ft. for each dwelling unit.
 - b. Two-family dwelling - 860 sq. ft. for one unit, but not less than 1,910 total sq. ft. for both dwelling units.

- c. Multi-family dwelling:
 - i. One bedroom - 750 sq. ft. for each dwelling unit.
 - ii. Two or more bedrooms – 860 sq. ft. for each dwelling unit.
 - d. The Planning Commission may recommend approval of, and the Township Board may in its discretion approve, a PUD which provides for less than the otherwise required minimum amount of floor area for dwelling units as specified by Sections 16.6(2)(a), (b) and (c), if the applicant demonstrates to the satisfaction of the Planning Commission and the Township Board that providing less than the required floor area:
 - i. Is necessary to meet the unique needs of the PUD due to the nature, size, density, location or design of the development, or the unique needs of the intended residents or occupants of the dwelling units in the development;
 - ii. Will be consistent with other applicable local, state or federal laws regarding minimum dwelling unit floor area requirements; and
 - iii. Will not have adverse effects on the residents, occupants, or other users of the PUD, on the use or enjoyment of adjacent property, or otherwise result in a detriment to the public health, safety or welfare.
3. Parking. All parking within a PUD shall be provided off-street. Except as otherwise approved under Section 14.17 of this Ordinance, there shall be a minimum of 2 off-street parking spaces for each dwelling unit. At least 1 of the parking spaces for each dwelling unit shall be within 200 feet of that unit and at least 1 of the parking spaces for each dwelling unit shall be in a carport or garage within the PUD.
4. Yard Areas. Shall be landscaped according to the provisions of Chapter 29 or used for off-street parking and for loading and unloading in accordance with the purposes of the PUD.