

SECTION 1609. PLANNED RESIDENTIAL UNIT DEVELOPMENT

It is the purpose of this section to encourage more imaginative and livable housing environments within the Residential Districts, as noted, through a planned reduction, or averaging, of the individual lot area requirements for each zoning district PROVIDING the overall density requirements for each district remains the same. Such averaging or reduction of lot area requirements shall only be permitted when a land owner, or group of owners acting jointly, can plan and develop a tract of land as one complex land use unit rather than an aggregation of individual buildings located on separate, unrelated lots. Under these conditions, a Special Use Permit may be issued for the construction and occupancy of a planned unit development PROVIDING the standards, procedures and requirements set forth in this section can be complied with.

A. Objectives.

1. To provide a more desirable living environment by preserving the natural character of open fields, stands of trees, brooks, ponds, floodplains, hills and similar natural assets.
2. To encourage the preservation of open space and the development of recreational facilities in a generally central location and within reasonable distance of all living units.
3. To encourage developers to use a more creative and imaginative approach in the development of residential areas.
4. To provide for more efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the bypassing of natural obstacles in the residential site.
5. To encourage variety in the physical development pattern of the community by providing a variety and mixture of housing types.

B. Qualifying Conditions. Any application for a Special Use Permit shall meet the following conditions to qualify for consideration as a planned unit development.

1. All planned unit developments shall be under the control of the one owner or group of owners, and shall be capable of being planned and developed as one integral unit.
2. Public water and sewer facilities shall be available or shall be provided as part of the site development or the owner or owners must provide sufficient detail as to how the development will be served in terms of water and sewerage.
3. For each square foot of land gained through the reduction or averaging of lot sizes, equal amounts of land shall be dedicated to the public or shall be set aside for the common use of the home or lot owners within the planned unit development under legal procedures which shall also give the public a covenant or interest herein, so that there are assurances that the required open space shall remain open for a minimum of 25% of total legally described development.
4. The proposed planned unit development shall meet all of the general standards outlined herein.

C. **Uses That May Be Permitted.** The following uses of land and structures may be permitted within a planned residential unit development, subject to the district limitation as therein after listed:

1. Single family dwellings and two family dwellings. In any R District.
2. Townhouses, row houses, or other similar housing types which can be defined as a single family attached dwelling with no side yards between adjacent dwelling units in R Districts PROVIDED that there shall be no more than a length of seventy-five (75') feet in any contiguous group allowed within an R District, nor shall there be more than a length of two hundred in B Districts.
3. Apartments. In R-3 or B-1 Districts.
4. Recreation and open space, (in any R-District), PROVIDED that only the following land uses may be set aside as common land for open space or recreational use under the provisions of the Section.

Private recreation facilities, such as golf courses, swimming pools or other recreation facilities which are limited to the use of the owners or occupants of the lots located within the planned unit development.

Historic building sites, or historical sites, parks and parkway areas, ornamental parks, extensive areas with tree cover, low lands along streams or areas of rough terrain when such areas have natural features worthy of scenic preservation.

D. **Lot Variation and Development Regulations.** The lot area for planned unit developments within Residential R-Districts may be averaged or reduced from those sizes required by the applicable zoning district within which said development is located by compliance with the following requirements:

1. **Site Acreage Computation.** The gross acreage proposed for a planned unit development shall be computed to determine the total land area available for development into lots under the minimum lot size requirements of the applicable zoning district in which the proposed planned unit development is located.

In arriving at a gross acreage figure, the following lands shall not be considered as part of the gross acreage in computing the maximum number of lots and/or dwelling units that may be created under this procedure:

Land utilized by public utilities as easements, for major facilities such as electric transmission lines, sewer lines, water mains or other similar lands which are not available to the other because of such easement. Lands within floodways.

2. **Maximum Number of Lots and Dwelling Units.** After the total gross area available for development has been determined by the above procedure, the maximum number of lots and/or dwelling units that may be approved within a planned unit development shall be computed by subtracting from the total for street right-of-way purposes, and dividing the remaining net area available by the minimum lot area requirements of the zoning district in which the planned unit development is located.

3. **The fixed percentages for street right-of-way** purposes to be subtracted from the total gross area available for development shall be determined according to the following schedule:

District Use	% of Project Area
R-1, R-2 and R-3 (Single family detached)	25%
R-3, B-1 (Single family attached Two family and multiple family)	20%

These percentages shall apply regardless of the amount of land actually required for street right-of-way.

Under this procedure, individual lots may be reduced in area below the minimum lot size required by the zoning district in which the planned unit development is located, PROVIDED that the total number of dwelling units and/or lots created within the development is not more than the maximum number that would be allowed if the tract were developed under the minimum lot area requirements of the applicable zoning district in which it is located.

Recognizing that good project planning, provision of adequate and developed open space and sound site design, minimize the effects of crowding associated with higher densities, the developer at the time of a special use permit may also request a maximum of up to twenty (20%) percent increase in permitted dwelling unit density as above computed.

Said request may be granted as a condition of special use permit PROVIDED increased density does not result in creation of any of these conditions:

- a. Inconvenience or unsafe access to the planned development.
- b. Traffic congestion in streets which adjoin the planned development.

- c. An excessive burden on public service or utilities including schools which serve the planned development.
4. **Permissive Minimum Lot Area.** Notwithstanding other procedures set forth in this section, lot sizes within planned unit developments shall not be varied or reduced in area below the following standards:
- a. One family detached dwelling structure: Four thousand eight hundred (4,800) square feet of lot area.
 - b. Two family dwelling structure: Six thousand two hundred (6,200) square feet of lot area.
 - c. Townhouses, row houses or other similar permitted single family attached dwelling types: Six thousand two hundred (6,200) square feet of lot area for the first dwelling unit in each structure plus two thousand (2,000) square feet for each additional dwelling unit within a structure.
5. **Permissive Minimum Yard Requirements.** Under the lot averaging or reduction procedure, each shall have at least the following minimum yards:
- a. **Front Yard.** Fifteen (15') feet for all dwellings, PROVIDED that front yard requirements may be varied by the Planning Commission after consideration of common green space or other common open space if such provides an average of fifteen (15') feet of Front Yard area per dwelling unit.
 - b. **Side Yard.** Eight (8') feet on each side for all one family and two family dwellings; none for townhouses or row houses, PROVIDED that there shall be a minimum of twenty (20') feet between end of contiguous groups of dwelling units.
 - c. **Rear Yard.** Twenty (20') feet for all dwellings, PROVIDED that rear yard requirements may be varied by the Planning Commission after consideration of common open space lands or parks which abut the rear yard area.

- d. **Perimeter Setback.** The yard requirements at the exterior boundaries of the project will not be less than the minimum yards required in the District where located.
 6. **Maximum Permissive Building Height.** Two and one-half (2 1/2) stories but not exceeding thirty-five (35') feet. Accessory buildings shall not exceed a height of fifteen (15') feet.
- E. **Open Space Requirements.** For each square foot of land gained through the averaging or reduction of lot sizes under the provisions of this section, equal amounts of land shall be provided in open space. There is no maximum amount of open space that may be set aside as open space. All open space, tree cover, recreational area, scenic vista or other authorized open land areas shall be either set aside as common land for the sole benefit, use and enjoyment of present and future lot or home owners within the development, or shall be dedicated to the general public as park land for the use of the general public. The Planning Commission shall determine which of these options is most appropriate and shall recommend to the legislative body one of the following procedures as part of its approval of a special use permit for a planned unit development:
 1. That open space land shall be owned by the land owner or owners or a home owners association or other similar nonprofit organization so that fee simple title shall be vested in tract lot owners as tenants in common, PROVIDED that suitable arrangements have been made for the maintenance of said land and any buildings thereon, and PROVIDED FURTHER that a copy of the open space easement for said land be conveyed to the legislative body to assure that open space land remain open.
 2. That open space land shall be dedicated to the general public for parks or recreational purposes by the tract owner or owners, PROVIDED that the location and extent of said land conforms to the Development Plan and PROVIDED FURTHER that access to and the characteristics of said land is such that it will be readily available to and desirable for public use, development and maintenance.

3. It is the intent of this section that the owners or developers of the planned unit development shall not be compelled or required to improve the natural condition of said open space lands.

F. **Street Development Requirements.** Street standards and specifications adopted by the Huron County Road Commission and all applicable local standards shall be complied with for all street improvements.