

ARTICLE 25.50

Planned Development Cluster Zoning Option

Section 25.51 - Intent

The Planned Development Cluster Zoning Option provides an opportunity to address unmet needs for affordable single-family detached and two-family housing units at a higher density than permitted elsewhere in the Township, subject to specific eligibility criteria and design requirements. Consistent with the Township Master Plan, developments permitted under these regulations are intended to be appealing walkable residential environments located close to the City of Williamston. Planned Development Cluster Zoning Option proposals are subject to the same review and approval procedures, phasing, and penalties and enforcement criteria as the Planned Development Zoning District.

The planned development approach encourages the use of land in accordance with its character and adaptability; conserves natural resources, natural features and energy; encourages innovation in land use planning; provides attainable housing options, traffic circulation and recreational opportunities for the people of this Township; ensures compatibility of design and use between neighboring properties; and, encourages development that is consistent with the Township's Master Plan.

The provisions of this Article are not intended as a device for ignoring the Zoning Ordinance and specific standards set forth therein, or the planning upon which it has been based. To that end, provisions of this Article are intended to result in land development substantially consistent with the zoning standards generally applied to the proposed uses, allowing for modifications and departures from generally applicable standards in accordance with guidelines in this Article to insure appropriate, fair, and consistent decision making.

Section 25.52 - Eligibility Criteria

To be eligible for planned development approval, the applicant must demonstrate that the following criteria will be met:

A. Recognizable Benefits

The planned development must result in a recognizable and substantial benefit to the ultimate users of the project and to the community and shall result in a higher quality of development than could be achieved under conventional zoning.

B. Minimum Size

The minimum size of a planned development shall be ten (10) acres of contiguous land. However, in the interest of maximizing the use of Planned Development Cluster Zoning Option as a tool to promote high quality planning and development, the Township Board, upon recommendation from the Planning Commission, may permit a smaller planned development if: (a) the proposed project has unique characteristics and benefits, and/or (b) the parcel in question has unique characteristics that significantly impact development, such as unusual topography, tree stands, wetlands, poor soil conditions on portions of the parcel, water courses, unusual shape or proportions, or utility easements which cross the parcel.

In such case, the applicant shall submit a letter to the Township requesting a waiver of the minimum planned development size requirements. The request shall be submitted prior to submittal of a site plan and application for planned development approval. The Planning Commission shall review the request and make a recommendation to the Township Board. The Township Board shall make the final decision concerning a request to waive the planned development size requirements.

C. Use of Public Services

The proposed cluster development must be serviced by public water and sanitary sewer utilities. For example, areas encompassed by Act 425 Agreements between the City of Williamston and Williamstown Township are eligible for consideration.

D. Compatibility with Master Plan

The proposed development shall not have an adverse impact upon the Master Plan for the Township. Notwithstanding this requirement, the Township may approve a Planned Development proposal that includes uses

which are not called for on the Future Land Use Map, provided that the Planning Commission and Township Board determine that such a deviation from the Future Land Use Map is justified in light of the current planning and development objectives of the Township.

E. Economic Impact

The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.

F. Unified Control

The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project, or assuring completion of the project, in conformity with this Ordinance.

The applicant shall provide legal documentation of single ownership or control in the form of agreements, contracts, covenants, and deed restrictions which indicate that the development can be completed as shown on the plans, and further, that all portions of the development that are not to be maintained or operated at public expense will continue to be operated and maintained by the developers or their successors. These legal documents shall bind all development successors in title to any commitments made as a part of the documents. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is given to the Township Clerk.

G. Preservation of Natural Features and Rural Character

The proposed development shall preserve natural features and the rural character of the Township to the maximum extent feasible. In the case of single-family residential development, this may be accomplished by implementing principles of "rural cluster zoning" and "rural open space environment".

Section 25.53 - Project Design Standards

Proposed planned developments shall comply with the following project design standards:

A. Location

Planned Development Cluster Zoning developments may be located in districts zoned for single family use (AG-C, AG-SF, RE, RR, R-1-S, and R-1), subject to review and approval as provided for herein.

B. Permitted Uses

The following uses are permitted in a Planned Development Cluster Zoning Development:

1. Single family detached and two-family housing units.
2. A community building, pool, or other amenities for the residents of the development.
3. Attached accessory structures.

Such uses shall be allowed subject to the following conditions:

1. There shall be a reasonably harmonious relationship between the location of buildings on the site relative to buildings on lands in the surrounding area.
2. The mix of uses and the arrangement of those uses within a planned development shall not impair the public health, safety, welfare, or quality of life of residents or the community.

C. Residential Density

Residential density is limited by the dimensional requirements contained herein provided the Planning Commission and Township Board determine that the following criteria are met:

1. The planned development shall exhibit extraordinary design excellence, examples of which include, but are not limited to: innovative energy efficient design; provision of additional open space above the required amount; added improvements to assure vehicular and pedestrian safety; or, added landscaping or other site features to assure a long-term aesthetically pleasing appearance.
2. The planned development shall include public facilities, such as wastewater collection and treatment and public water system, to enhance the long-term viability of the project and allow for more efficient use of the land.

3. The proposed arrangement of uses and residential densities within the planned development shall enhance the compatibility of proposed development with existing or planned land use on adjacent land.
4. The planned development shall implement design approaches to achieve or preserve a Rural Open Space Environment, if feasible.

D. Dimensional Standards

1. **Setbacks**

Planned Development Cluster Zoning proposals shall comply with the following minimum yard setback requirements:

	Minimum Setback
Along perimeter adjacent to collector or arterial public road	50 ft.
Along perimeter, but not adjacent to a road	35 ft.
Along an internal collector or local road	25 ft.
Along an internal thoroughfare road	50 ft.
Between parking lot and property line	
<ul style="list-style-type: none"> • Adjacent to collector or arterial road 	50 ft.
<ul style="list-style-type: none"> • Not fronting on collector or arterial road 	20 ft.

Modification to these yard setback requirements may be approved by the Township Board, upon recommendation from the Planning Commission, upon making the determination that other setbacks would be more appropriate because of the topography, existing trees and other vegetation, proposed grading and landscaping, or other existing or proposed site features.

2. **Lot Size and Lot Frontage**

The minimum lot size shall be 9,600 square feet and the minimum lot frontage shall be seventy-five (75) feet. However, minimum lot sizes and lot frontages may be reduced if the Planning Commission and Township Board determine that all of the following conditions have been met:

- a. The site plan shall comply with all other dimensional requirements.
- b. The overall permitted density of development shall be based on a lot size of 9,600 square feet.
- c. Any reduction in lot size shall result in an equivalent increase in common open space.
- d. Reduction in lot size shall not diminish the overall quality of design.

E. Distances Between Buildings

Buildings within a planned development shall comply with the following spacing requirements:

1. Any detached single-family structure shall be located at least twenty (20) feet from any other detached single-family structure.
2. The minimum rear yard setback and minimum lot size for detached single family structures and accessory structures thereto in a planned development shall be based on good planning and design principles, taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings, and the need for proper amounts of open space for the exclusive use of residents on the site.

Modification to these building spacing requirements may be approved by the Township Board, upon recommendation from the Planning Commission, upon making the determination that other building spacing requirements would be more appropriate because of the design and orientation of buildings.

F. Building Requirements

Buildings within a Planned Development Cluster Zoning development shall comply with the following building requirements:

1. Maximum building height: 2 stories

2. Minimum net floor area per unit: 600 square feet
3. Maximum net floor area per unit: 1,500 square feet
4. Maximum building footprint of principal building: 900 square feet
5. Maximum accessory building footprint: 400 square feet
6. Accessory buildings shall be attached to the principal building.
7. Each residence shall have a front porch that extends across at least 50% of the building front.
8. If buildings face an interior common feature such as a courtyard, the minimum building setbacks are as follows: front setback, 15 feet; side setbacks 10 feet; and rear setback 10 feet.
9. At least 35% of the development's residential units must be universally designed.¹

G. Design Guidelines

1. **Exterior Materials.** The following list contains permitted exterior materials. Alternative exterior materials may be proposed for approval by the Planning Commission, provided such materials are comparable in quality and durability to those in the list.
 - a. Siding: vinyl, Hardiplank or similar siding.
 - b. Full brick exterior on the front elevation (generally, the elevation facing the road).
 - c. At a minimum brick shall be provided to the bottom of the first floor on the sides and rear with siding above the brick.
 - d. Windows: Wood, vinyl clad wood, or vinyl.
 - e. Aluminum gutters, downspouts, and flashing shall be permitted.
 - f. Texture 1-11 and aluminum siding are prohibited.
 - g. Garage Doors: Garage doors shall be panelized steel, panelized aluminum, or wood.
2. **Driveways and Sidewalks.** Driveways and sidewalks shall be constructed of concrete or durable pervious pavement.
3. **Roof Material and Pitch.** Roof material shall be at least 30-year three-tab asphalt shingle or better. No single level flat roofs are permitted on the main body of the any dwelling or other structure, except that flat roofs may be installed for Florida rooms, porches, or patios, if they are architecturally compatible with the rest of the dwelling unit. The roof pitch for the main body of the dwelling on the front, sides, and rear elevations shall be 5 on 12 or steeper.

H. Parking and Loading

Planned developments shall comply with the parking and loading requirements specified in Article 4.00 of the Zoning Ordinance.

I. Landscaping

Planned developments shall comply with the following landscaping requirements:

1. **General Site Requirements.** All unpaved portions of the site that are not left in a natural state shall be planted with grass, ground cover, shrubbery, or other suitable live plant material, which shall extend to any abutting road shoulder or curb edge. Seeded areas shall be watered and fertilized regularly to provide a healthy lawn within ninety (90) days of planting.
2. **Landscaping Adjacent to Roads.** Frontage on collector or arterial roads in Planned Development Cluster Zoning developments shall comply with the requirements for landscaping adjacent to roads in Section 5.02, sub-section B.
3. **Berm Requirements.** Wherever front, side, or rear yards adjacent to public rights-of-way are used for parking, a berm may be required to screen the parking from view of the road. The berm shall be a minimum of two (2) feet in height and shall be planted in accordance with the previous requirements for landscaping adjacent to roads.

¹ Universal design is design that is usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. Something that is universally designed will work for as many people as possible, regardless of struggles with 1) upper body movement, strength, and/or sensation, 2) lower body movement strength and/or sensation, 3) balance, 4) vision, 5) hearing, 6) cognition and memory, 7) activity tolerances, 8) speech and/or communication, 9) chemical sensitivities, 10) sensory tolerance, 11) need for caregiver assistance, and 12) extremes in height and weight.

4. **Screening.** Screening in the form of a landscaped berm, greenbelt, wall or fence shall be required wherever a Planned Development Cluster Zoning development abuts a commercial, office, or industrial use. A landscaped berm or greenbelt is preferred rather than a wall or fence by itself. Depending on the design, a wall or fence with some landscaping could be found to be equally desirable.

Landscaped screening shall comply with the requirements in Section 5.02, sub-section E. If a wall or fence is used instead of landscaping, the following requirements shall be complied with:

- a. **Location**
Required obscuring walls or fences shall be placed inside and adjacent to the lot line except where underground utilities interfere with placement of the wall or fence at the property line, in which case the wall or fence shall be placed on the utility easement line located nearest the property line.
 - b. **Time of Construction**
Wherever construction of an obscuring wall or fence is required adjacent to residentially zoned or used property, the wall or fence shall be installed prior to the beginning of site grading and general construction, except where such activity would result in damage to the wall or fence.
 - c. **Corner Clearance**
No wall or fence shall be erected that will obstruct the view of drivers in vehicles approaching an intersection of two roads or the intersection of a road and a driveway.
 - d. **Wall Specifications**
Required walls shall be constructed of masonry material that is architecturally compatible with the materials used on the facade of the principal structure on the site, such as face brick, decorative block, or poured concrete with simulated brick or stone patterns.
 - e. **Fence Specifications**
Fences used for screening shall be constructed of redwood, cedar, or No. 1 pressure-treated wood. Chain link fences shall not be permitted for screening purposes.
 - f. **Height Requirements**
Walls or fences used for screening shall be a minimum of 4.5 feet in height.
5. **Parking Lot Landscaping.** Off-street parking areas containing greater than ten (10) spaces shall be provided with interior landscaping in compliance with Section 5.02, sub-section F.
6. **Standards for Plant Material.** Proposed plant materials shall comply with the standards set forth in Section 5.04. Additionally, thirty-five percent (35%) of the proposed plant materials must be native to Michigan.
7. **Treatment of Existing Plant Material.** In instances where healthy plant material exists on the site prior to its development, the Township may permit substitution of such plant material in place of the requirements set forth previously, provided such substitution is in keeping with the spirit and intent of this Article and the Ordinance in general, subject to the regulations in Section 5.06.
8. **Variation from Specific Requirements.** The Township Board, upon receiving a recommendation from the Planning Commission, may allow variation from the specific requirements set forth herein, upon finding that the substitute landscaping is in keeping with the spirit and intent of this Article, and has equal landscape value as the required landscaping. In evaluating landscape values, the Township Board and Planning Commission shall consider preservation of natural features, aesthetic qualities, numbers of plants, and similar considerations.

J. Open Space Requirements

Planned Development Cluster Zoning developments shall provide and maintain usable open space that is accessible to all residents, which shall comply with the following requirements:

1. A minimum of fifty percent (50%) of the gross area of the site or portion thereof that is designated for residential use shall be set aside for common open space. The Planning Commission and Township Board may allow a reduction in the open space requirements if the development contains some combination of features that will make it environmentally sustainable, such as electric vehicle charging stations, renewable energy sources, LEED certification, public transit access, and permeable pavements, provided that common open space after such reduction shall encompass at least thirty-three percent (33%) of the gross area of the site. The boundaries of the gross site area shall encompass buildings, roads, sidewalks, landscaping, natural areas, water bodies, and other features that are an integral part of the residential development plan.

2. Open space shall be located on the parcel to meet the following objectives:
 - a. To preserve distinctive natural features and rural characteristics.
 - b. To preserve farmlands.
 - c. To minimize impact from development on wetlands, rivers, and other sensitive environmental areas.
 - d. To maintain open, rural character along main roads.
3. No more than twenty-five percent (25%) of the required open space shall be used for active recreation facilities, such as swimming pools, tennis courts, trails etc.
4. Any pervious land area that is available for the common use of all residents may be included as required open space, except as follows:
 - a. No more than twenty five percent (25%) of the required usable open space shall include the area of any water bodies or wetlands which are covered only periodically with standing water (such as hardwood swamps or "wet" meadows). Required usable open space shall not include the area of any designated wetland that is covered by water or muck such that it is not a suitable environment for walking or similar passive leisure pursuits.
 - b. Required usable open space shall not include the area of any public or private road, the area of any easement providing access to the site, the area of any commercial recreation use (such as a golf course), or the area of any required setbacks.
5. The required open space shall be set aside by the developer through an irrevocable conveyance, such as deed restrictions or covenants that run with the land or through a conservation easement, whereby all rights to develop the land are conveyed to a land conservation organization or other public body, assuring that the open space will be developed according to the site plan. Such conveyance shall:
 - a. Indicate the proposed use(s) of the required open space.
 - b. Indicate how the leisure and recreation needs of all segments of the population residing in or using the planned development will be accommodated.
 - c. Provide for the privately-owned open space to be maintained by private property owners with an interest in the open space.
 - d. Provide maintenance standards and a maintenance schedule.
 - e. Provide notice of possible assessment to the private property owners by the Township of Williamstown for the cost of maintenance of the open space in the event that it is inadequately maintained and becomes a public nuisance or in the event that other public facilities are not maintained.
 - f. Be recorded with the Ingham County Register of Deeds to provide record notice of the restrictions to all persons having an interest in the property contained in the Planned Development.
6. Notwithstanding the requirements cited above, open space may be redeveloped for another purpose subject to the following conditions:
 - a. The redevelopment of open space shall require an amendment to the Planned Development plan in accordance with the procedures in Section 29.04, and shall therefore constitute an amendment to the Zoning Ordinance which shall be subject to the right of petition and referendum by the electors of the Township, as provided for by current Michigan law.
 - b. Redevelopment of open space shall not be permitted for the first twenty-five (25) years after the date of the initial approval of the Planned Development plan by the Township Board. Commencing on the twenty-fifth (25th) anniversary of the initial approval, and at every subsequent twenty-five (25) year interval thereafter, there shall be a one (1) year period during which proposals to redevelop the open space may be submitted for review and action by the Township. Proposals to redevelop may not be submitted at any other time except during these one (1) year periods.

- c. In the event that a proposal to redevelop open space is properly submitted during an appropriate one (1) year time frame, the Township shall proceed with review and shall take action on the proposal even if the review process extends beyond the one (1) year period.
- d. Proposals to redevelop open space shall require the written consent of at least ninety percent (90%) of all persons having an interest in the property contained in the Planned Development at the time the proposal is submitted.
- e. The overall density of residential development proposed for redeveloped open space shall not exceed the density that could be achieved with the underlying zoning that was in place at the time the original planned development plan was adopted (see Section 25.03(C) and definition of "underlying zoning" in Section 1.03).
- f. These provisions for redevelopment of open space may be included in the conveyance described in the preceding subsection (l.6).

K. Frontage and Access

Planned developments shall front onto a paved collector or arterial road and the main means of access to the development shall be via the paved road. The nearest edge of any entrance or exit drive shall be located no closer than four hundred (400) feet from any street or road intersection (as measured from the nearest intersection right-of-way line).

Each residential lot shall have frontage on, and each residential dwelling unit shall have direct access to, an approved public local road. Individual residential dwelling units in a planned development shall not have direct access onto an arterial road, collector road, or state trunkline. The planned development should be designed so that through-traffic is discouraged from traveling on residential streets.

L. Natural Features

The development shall be designed to promote preservation of natural resources and features. If natural animal or plant habitats of significant value exist on the site, the Planning Commission or Township Board may require that the planned development plan preserve the areas in a natural state and adequately protect them as open space preserves or passive recreation areas. One hundred percent (100%) of any preserved natural area may be counted toward meeting the requirements for open space, as long as the requirements of Section 25.53(l)(5.a.) are met.

M. Pedestrian Access

Sidewalks shall be provided along all local, collector and arterial roads within the Planned Development Cluster Zoning development. The Township Board, upon recommendation from the Planning Commission, may waive the requirements for sidewalks if pathways or another means of pedestrian circulation are provided through the development.

N. Special Use Standards

Proposed uses that are permitted under conventional zoning subject to Special Land Use approval shall comply with the development standards for such uses as set forth in Section 29.03 of the Zoning Ordinance and in the regulations for each district. In evaluating such uses, the Planning Commission and Township Board shall consider the **Standards for Granting Special Land Use Approval for Special Uses** in Section 29.03 of the Zoning Ordinance. The Township Board, upon recommendation from the Planning Commission, may waive, modify, or expand upon the development standards for such uses, upon making the determination that such action would result in higher quality development within the context of the proposed Planned Development. Even if a Special Land Use is included in a proposed Planned Development project, Planned Development review procedures in this Article shall supersede and replace the Special Land Use review procedures in Section 29.03.

O. Additional Considerations

The Planning Commission and Township Board shall take into account the following considerations, which may be relevant to a particular project: perimeter setbacks and berms; thoroughfare, drainage and utility design; underground installation of utilities; the extent to which sidewalks, trails, open space, playgrounds and other areas used by pedestrians are insulated from roads, drives, and parking areas used by vehicles; achievement of an integrated development with respect to signage, lighting, landscaping and building materials; and, noise reduction and visual screening mechanisms, particularly in cases where a planned development adjoins residentially used or zoned property.