

## ARTICLE 24.00

# GD, Green Zone Planned Development District

### ***Section 24.01 Statement of Purpose***

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The Green Zone Planned Development District (the "Green Zone") is a diverse mixed use zoning district created to guide development of a portion of the Grand River corridor. Historically, land along Grand River Road, from approximately Zimmer Road to Meridian Road, has been used predominantly for agriculture. Historically, when agricultural uses cease, land transitions to rural open space. This transition provides opportunities for future development. By creating the Green Zone, the Township seeks more sustainable development than might be achieved under conventional zoning. Such development would be characterized by, for example, conservation of natural areas through compact design; preservation and use of native vegetation in landscaping; permeable paving; clearing and grading to minimize site disturbance; more narrow driving lanes; integrating bio-retention swales in parking lots, and similar measures. The regulations and standards that follow are intended to further the principles of sustainable development as applied to the Grand River corridor, with the overall goal of providing a quality living and working environment for residents and users of the district.

### ***Section 24.02 Boundaries in which the Green Zone May Be Used***

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The boundaries within which the Green Zone may be used shall be established on the Official Zoning Map. The boundaries may be amended according to the procedures set forth in Section 29.06, Amendments.

### ***Section 24.03 Eligibility Criteria***

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An applicant who develops under the Green Zone standards shall first demonstrate that the following criteria will be met:

**A. Recognizable Benefits**

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

**B. Compliance with the Green Zone Principles**

The development shall comply with the Green Zone principles, as summarized in the Statement of Purpose and described further herein.

**C. Minimum Size**

The minimum size of a non-residential or mixed use development parcel in the Green Zone shall be twenty (20) acres of contiguous, developable land. However, the Township Board, upon recommendation from the Planning Commission, may permit a smaller parcel if: 1) the project has unique characteristics or benefits, and/or 2) 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 that cross the parcel.

A parcel in existence on the date of adoption of the Green Zone Planned Development District, that is less than twenty (20) acres in size, may be developed in accordance with the zoning in place prior to being zoned Green Zone. However, if the parcel is combined with one (1) or more other parcels so that the total size exceeds twenty (20) acres, then the new larger parcel shall be subject to the Green Zone regulations.

**D. Compatibility with the Master Plan**

A proposed Green Zone development shall not have an adverse impact upon the Master Plan for the Township.

**E. Preservation of Natural Features**

The proposed development shall preserve distinctive natural features on the site to the maximum extent feasible, such as, but not limited to: woodlands, wetlands, rolling topography, and natural drainage courses.

**F. Use of Public Services**

The type and density of the proposed development shall not result in an unreasonable increase in the use of public services (such a police and fire protection), public facilities, and utilities.

**Section 24.04 Permitted Uses and Structures**

It is intended that the Green Zone be a lively, pedestrian-friendly mixed use district. This can be accomplished with the proper mix of uses, in combination with quality urban design. With this in mind, the Township seeks uses that: 1) are compliant with the Green Zone principles as expressed herein, 2) are compliant with the use and dimensional regulations set forth herein, and 3) are compatible with each other and with surrounding development.

In addition, it is essential that uses from each development, in combination with uses from surrounding developments, contribute to the sense of liveliness and vibrancy that is desired in this district.

If a proposal contains uses that do not satisfy the criteria listed above, the proposal shall be subject to denial.

The following uses and structures are permitted in the Green Zone, subject to the criteria and provisions noted above:

1. Research and technology service businesses, including the following:
  - a. Architectural, engineering, and related services, as described in the North American Industrial Classification System (NAICS) under heading 5413.
  - b. Computer systems design and related services (NAICS heading 5415).
  - c. Management, scientific, and technical consulting services (NAICS heading 5416).
  - d. Scientific research and development services (NAICS heading 5417).
2. Any use charged with the principal function of basic research, design, and pilot or experimental product development, when conducted within a completely enclosed building.
3. Colleges, universities, corporate training facilities, and other educational institutions.
4. Residential development, including:
  - a. Single family attached and detached buildings
  - b. Two-family dwellings
  - c. State licensed residential facilities
    - i. Providing care for up to six (6) individuals
    - ii. Providing care for seven (7) or more individuals, subject to the requirements in Section 8.02, subsection Y.
  - d. Group day care homes, subject to the requirements in Section 8.02, sub-section Y.
  - e. Senior housing, subject to the requirements in Section 8.03, sub-section E.
5. Public transit stations and park and ride lots.
6. Public or private parks and recreation facilities, subject to the requirements in Section 8.02, sub-section W.

7. Religious institutions, subject to the requirements in Section 8.02, sub-section X.
8. Public or private cultural facilities and museums.
9. Private parks owned and maintained by a homeowner's association in a subdivision or condominium development.
10. Community recreation centers and non-profit swim clubs, subject to the requirements in Section 8.02, sub-section W.
11. General or specialized farming and related activities, subject to the requirements in Section 8.02, sub-section L, provided that on no farm shall the number of animal unit equivalents exceed 49.
12. Uses and structures incidental to and customarily associated with single and two-family dwellings, including:
  - a. Pens and enclosures for household pets.
  - b. Home occupations and home-based businesses, subject to the requirements in Section 2.06.
  - c. Private swimming pools, subject to the requirements in Section 8.02, sub-section W.
  - d. One accessory apartment per single family detached dwelling unit, subject to the requirements in Section 8.03, sub-section A.
  - e. Off-street parking, including private garages.
  - f. On-site wind energy systems, subject to the requirements in Section 8.02, sub-section KK.
13. Commercial uses, when part of mixed use development, provided that: 1) the net usable floor area of each commercial establishment does not exceed 5,000 square feet, 2) the total of all commercial uses does not comprise more than one-third of the total area of the development, and 3) mixed use development containing commercial uses shall be located only on parcels that front on Grand River Road. Permitted commercial uses include, but are not necessarily limited to the following:
  - a. Food stores
  - b. Drug stores (without drive-through)
  - c. Carry out and standard restaurants (without drive-through)
  - d. Personal care services, such as hair salons, barbershops, nail salons, etc.
  - e. Medical, dental or veterinary clinics
  - f. Personal fitness centers
  - g. Financial institutions (without drive-through)
  - h. Legal, accounting, and real estate service offices
  - i. Child care centers
  - j. Brewpubs, subject to the requirements in Section 8.02, subsection NN.
  - k. Microbreweries capable of producing no more than 5,000 barrels of beer per year, subject to the requirements in Section 8.02, subsection NN.

14. Essential services, subject to the requirements in Section 2.16.

### **Section 24.05 Prohibited Uses and Structures**

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The following uses are prohibited in the Green Zone because they would not be consistent with the principles of Green Zone development, as expressed herein:

1. Manufacturing, except for the following special land uses:
  - a. Prototype development that is accessory to permitted research or technology services.
  - b. Low impact manufacturing operations. Unlike traditional mass or batch manufacturing, low impact manufacturing is characterized by:
    - i. Demonstrated efforts to use less non-renewable resources.
    - ii. Innovative, advanced production processes.
    - iii. Manufacturing best practices.
    - iv. No toxic waste.
    - v. Implementation of the principles of Kaizen<sup>1</sup> for continuous improvement.
    - vi. Replanting or protecting existing vegetation.
    - vii. Reducing impervious surfaces, such as roads, parking lots, and roof tops.
    - viii. Using bio-retention, pervious pavement, and other small-scale storm water controls.
2. Automobile oriented uses, including:
  - a. Automobile repair garage.
  - b. Automobile service station, filling station, or gas station
  - c. New or used automobile dealership
  - d. Drive-in and drive-through establishments

### **Section 24.06 Project Design Requirements**

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Proposed Green Zone developments shall comply with the following project design requirements:

#### **A. Location**

A Green Zone development may be proposed, and will only be approved, if it is located within the Green Zone boundaries as established on the Official Zoning Map of the Township. The Green Zone boundaries may be expanded through rezoning of parcels contiguous to land that is currently zoned Green Zone.

#### **B. Planned Development Review**

Proposals in the Green Zone are subject to the Planned Development review procedures in Section 29.04 of the Zoning Ordinance. The standards herein supersede the Planned Development standards in Article 25.00 for the purpose of Green Zone development.

#### **C. Residential Density**

Green Zone developments shall comply with the following residential densities:

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<sup>1</sup> Kaizen is Japanese for “improvement” or “change for the “better.” It refers to a philosophy or practices that focus on continuous improvement of processes in manufacturing, engineering, supporting businesses processes, and management.

1. One Family Attached: See Section 8.03(B) of the Zoning Ordinance (formula works out to approximately 12 two-bedroom homes per acre)
2. One-Family Detached: Minimum Lot area is 40,000 sq.ft.
3. Two Family Units: Minimum Lot Area is 20,000 sq.ft.
4. An increase in density may be permitted by the Township Board, upon recommendation from the Planning Commission, upon finding that the increase is justified because certain characteristics of the proposed development would result in a substantial benefit to the users and the community as a whole. Among the characteristics that the Planning Commission and Township Board may consider in making this determination are the following:
  - a. The proposed Green Zone development exhibits extraordinary design excellence, examples of which include, but are not limited to innovative energy efficient design; provision of more open space than required; added improvements to assure vehicular and pedestrian safety; and added landscaping or other site features to assure long-term aesthetically pleasing appearance.
  - b. The proposed arrangement of uses and residential densities within the planned development enhances the compatibility of the proposed development existing or planned land use on adjacent land.
  - c. The planned development would contain environmentally-conscious public facilities to enhance the long term viability of the project and reduce its impact on natural resources.
  - d. The planned development would address a societal need, such as provide affordable or senior housing.

#### D. Parking

Developments in the Green Zone shall comply with the requirements in Article 4.00 of the Zoning Ordinance, except as follows:

1. Alternatives to conventional storm water drainage ponds shall be incorporated into the parking lot design. Such alternatives may include, but are not limited to, use of pervious pavement, bio-swales, and rain gardens.
2. Collective use of off-street parking, whereby two or more uses having different hours of operation share the same parking so as to reduce the total number of required spaces, is required where feasible.
3. The size of any single off-street parking lot shall not exceed three (3) acres.
4. On-street parking is permitted on interior roads in the Green Zone, subject to Ingham County Road Commission approval (if the roads are public). All roads shall meet Ingham County Road Commission standards.

#### E. Landscaping

Developments in the Green Zone shall comply with the requirements in Article 5.00 of the Zoning Ordinance, except as follows:

1. **Native Plants.** A minimum of fifty percent (50%) of new landscaping shall consist of plant material that is native to Michigan, so as to minimize the need for irrigation and chemical applications. Appropriate native species shall be based on a list kept on file at the Township Hall, which may be updated from time to time.
2. **Treatment of Existing Plant Material.** The existing natural landscape shall be left intact, except where conversion into a more manicured landscape treatment is required as part of an integral landscape design plan. Existing trees in good condition and with straight trunks, that are at least two and one-half inches

(2.5 inches) DBH (diameter at breast height, or trunk caliper measured four and one-half feet (4.5 feet) from the ground), may be counted on a tree-for-tree basis toward any landscaping requirements in the Green Zone. However, undesirable trees listed in Section 5.04, sub-section C.9, are not eligible for the tree-for-tree allowance.

3. **Landscaping Adjacent to Grand River Road.** The landscape within the viewshed along Grand River Road shall consist of native and other plants in an informal setting so as to give the appearance of a naturally-occurring landscape. However, a more formal landscape is acceptable at the Grand River Road entrance to a development and along the driveway or road leading to the development.
4. **Screening.** Landscaping shall be used to screen non-residential uses and loading areas from residentially-zoned or used land. Such screening shall comply with the requirements in Section 5.02, sub-section B. In the Green Zone, substitution of wall or fence in lieu of landscaping is not permitted.
5. **Parking Lot Landscaping.** Off-street parking areas containing greater than ten (10) spaces shall comply with the requirements for parking lot landscaping in Section 5.02, sub-section F, except as follows:
  - a. Deciduous shade trees on the interior of or surrounding a parking lot shall be distributed so that no parking space is more than fifty (50) feet from the base of a tree.
  - b. Parking lot landscaping shall incorporate bio-retention swales or rain gardens to facilitate cleansing and infiltration of storm water.
6. **Parks and Plazas.** The overall goal of the Green Zone is to enhance the quality of life for residents and users of the district and community. One way to help accomplish this is by providing outdoor gathering spaces. Accordingly, provision of parks and/or plazas in conjunction with new development is encouraged.
7. **Streetscape.** A streetscape plan and cross-section shall be presented for frontage roads in conjunction with new development. The plan shall show locations of deciduous trees, lighting, benches, and other streetscape elements. The plan shall be coordinated with adjoining streetscape designs so as to achieve continuity.

#### F. Storm water Management

Storm water controls shall be subject to review by the Ingham County Drain Commissioner's office. Where feasible, storm water design shall conform to the following design standards:

1. **Existing Drainage Patterns.** Existing drainage patterns on the site shall be maintained.
2. **Drainage Ponds.** Retention and detention ponds, if required, shall resemble natural ponds, with gradual slopes and landscaping to enhance local wildlife.

#### G. Signs

Signs shall conform to the requirements in Article 7.00, except as follows:

1. The maximum wall and freestanding sign area for non-residential businesses in the Green Zone is seventy-two (72) square feet (rather than forty-eight (48) square feet specified in Section 7.08, sub-sections D and E).
2. In the interest of saving energy, sign lighting shall be shut off no later than midnight each night.

#### H. Green Building Criteria

1. **Non-Residential Development.** All new non-residential and mixed use construction in the Green Zone shall meet the criteria for green building certification through the U. S. Green Building Council's LEED

(Leadership in Energy and Environmental Design) certification system. A completed certification checklist shall be provided to the Township with the site plan review submission.

2. **Residential Development.** Compliance with green building certification (LEED-H or LEED-ND) is encouraged for all residential-only development.

**I. Non-Motorized Transportation**

1. **Grand River Path.** New development with frontage on Grand River Road shall provide a 10-foot wide paved path in the right-of-way, approximately one (1) foot from the right-of-way line, unless conditions dictate another setback. The path shall be subject to Township and Michigan Department of Transportation standards.
2. **Red Cedar River Path.** New development with frontage on the Red Cedar River shall provide an 8-foot wide path and recorded path easement along the river, in accordance with Township plans and standards.
3. **Sidewalks.** Concrete sidewalks with a minimum width of six (6) feet shall be provided on all interior roads within non-residential developments. Sidewalks shall provide a direct pedestrian connection from the street to the front entrance of the building.

**J. Public Transportation Review**

All new developments shall be designed to accommodate public transportation, by providing, where appropriate, park-and-ride lots, bus stops and shelters, and other accommodations for public transportation. The site plan for any new development shall be submitted to the Capital Area Transportation Authority (CATA) for comment prior to site plan review.

**Section 24.07 Area, Height, Bulk and Placement Requirements**

Proposed Green Zone developments shall comply with the following area, height, bulk and placement requirements:

**A. Summary Table**

The following table is for reference only; the text in this section provides additional guidance and shall control in the event of a discrepancy.

	Single Family Detached	Non-Residential and Mixed Use	
<b>Minimum Lot Area</b>	40,000 sq. ft.	20 acres	
<b>Minimum Lot Width</b>	120 ft.	660 ft.	
<b>Minimum Usable Floor Area per Unit</b>	1,200 sq. ft.	20,000 sq. ft.	
<b>Maximum Lot Coverage</b>	20%	Mixed Use: 25%	Non-Residential: 30%
<b>Grand River Ave. Setback/Viewshed</b>	350 ft. or 40% of lot depth, whichever is less	350 ft. or 40% of lot depth, whichever is less	
<b>Front Setback – Internal Streets</b>	30 ft.	30 ft.	
<b>Side Setback</b>	20 ft.	20 ft.	
<b>Rear Setback</b>	35 ft.	35 ft.	
<b>Red Cedar River Setback</b>	50 ft. from top of bank, unless there is a path along the river, in which case a 40-foot setback shall be measured from the edge of the path.		

**B. Lot Dimensions**

1. **Minimum Lot Area – Residential Uses.** The minimum lot area for single family residential development in the Green Zone shall be 40,000 square feet, provided that the parcel has adequate usable land area to be developed in conformance with the Zoning Ordinance, and provided further that there is sufficient area

for placement of a septic system. Single family residential development in the Green Zone shall comply with the R-1-S, Suburban Residential zoning requirements.

2. **Minimum Lot Area – Non-residential Uses.** The minimum lot area for non-residential and mixed use development in the Green Zone shall be twenty (20) acres, provided that the parcel has adequate usable land area to be developed in conformance with applicable Zoning Ordinance requirements.
3. **Minimum Lot Width – Residential Uses.** The minimum lot width for single family residential parcels in the Green Zone shall be 120 feet.
4. **Setback from Waterbodies.** A minimum setback of sixty (60) feet shall be maintained from any lake, pond, other open body of water, or wetland, unless a larger setback is required by the Department of Environmental Quality (MDEQ). This requirement shall apply to all principal and accessory structures and roads.

### C. Minimum Usable Floor Area

The minimum usable floor area shall be as follows:

1. Single family detached dwelling units: 1,200 sq. ft.
2. Single and two family attached dwelling units: 1,400 sq. ft.
3. Non-residential development: 20,000 sq. ft.

### D. Maximum Lot Coverage

The maximum lot coverage shall be as follows:

1. Residential development: 20%
2. Mixed use development: 25%
3. Non-residential development: 30%

### E. Minimum Setbacks

1. **Grand River Road Viewshed.** Non-residential and mixed use parcels of land in the Green Zone that have frontage on Grand River Road shall provide the following minimum setbacks so as to maintain the open, rural character of the corridor.
  - a. All principal and accessory buildings and structures shall be set back from the existing Grand River Road right-of-way a minimum distance equal to forty percent (40%) of the lot depth (as defined herein) or 350 feet, whichever is less. This setback requirement shall not apply to legally permitted signs and public transit shelters.
  - b. Off-street parking areas, including drive aisles, shall be set back a minimum of two hundred (200) feet from the existing road right-of-way.
  - c. All principal and accessory building and structures shall be set back a minimum of fifty (50) feet from the existing right-of-way on residential parcels with a depth of 500 feet or less at the time of adoption of this section of the Ordinance. Off-street parking on these parcels shall be set back a minimum of twenty (20) feet from the existing Grand River Road right-of-way.
2. **Front Yard or Side Yard Facing a Street.** The following requirements shall apply to buildings, structures and parking located on or facing a road other than Grand River Road:

- a. The minimum setback for buildings and structures shall be thirty (30) feet, measured from the existing right-of-way line.
  - b. The minimum setback for off-street parking, including drive aisles shall be twenty (20) feet.
- 3. Interior Side Yard**
- a. The minimum interior side yard setback for all buildings and structures in the Green Zone shall be twenty (20) feet.
  - b. Off-street parking, including drive aisles, shall be set back a minimum of ten (10) feet from an interior side lot line.
- 4. Rear Yard**
- a. The minimum rear yard setback for buildings and structures in the Green Zone shall be thirty-five (35) feet.
  - b. Off-street parking, including drive aisles, shall be set back a minimum of ten (10) feet from an interior side lot line.
- 5. Minimum Setbacks for Residential Uses.** Residential uses not located in a mixed use development shall comply with the setback requirements specified for the R-1-S, Suburban Residential District.

## F. Maximum Height

1. **Maximum Height.** The maximum height for buildings and structures in the Green Zone is forty (40) feet, except that accessory buildings and structures shall comply with the height requirements in Section 2.03.
2. **Exception for Green Building Features.** Where necessary because of the use of green building features (i.e., green roofs, passive solar architecture, convection cooling towers, etc.), the maximum height shall be forty-five (45) feet. The maximum height for wind turbines is 130 feet.

## G. Open Space Requirements

1. **Minimum Open Space.** A minimum of 33% of any non-residential or mixed-use parcel in the Green Zone shall be reserved as undeveloped open space. The calculations of required open space may include the land within the Grand River Road Viewshed. Fifty percent (50%) of the area of a green roof may be counted as open space. Recorded path easements called for in Section 24.06, subsection I, may be counted as open space.
2. **Exclusions.** Required open space shall not include the area of any public road, the area of any easement providing access to the site, the area of any commercial recreation use, the area of any conventional storm water retention or detention pond, and any interior parking lot landscaping.
3. **Open Space Objectives.** Open space shall be located on the site to meet the following objectives:
  - a. To preserve distinctive natural features, wooded areas, and rural features.
  - b. To preserve land that can still be farmed after development.
  - c. To minimize the impact on wetlands, streams, and other sensitive environmental features.
  - d. To maintain an open, rural character along Grand River Road.
  - e. To further the objectives of the Master Plan.

4. **Reservation of Open Space.** Required open space (not including green roofs) shall be permanently reserved by the developer with a recordable legal instrument that assures that the open space will remain undeveloped. This can be accomplished, by way of example, through a deed restriction, or an irrevocable conveyance, such as a conservation easement or restrictive covenant that runs with the land, whereby rights are conveyed to a land conservation organization or other public body.

### **Section 24.08 – Penalties and Enforcements**

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Any violation of this Ordinance, or any part thereof, shall be deemed a municipal civil infraction and is punishable by a fine not to exceed \$100.00. Upon notice of a violation, the appropriate Township employee shall investigate any violation and then make a determination as to whether the penalty shall be imposed. The imposition of a penalty for a violation shall not excuse the violation or be considered a permit to allow the violation to continue. Each day that a violation exists or continues to exist shall constitute a separate offense. The Township Supervisor or his/her designated agent is hereby authorized to write and serve municipal civil infraction tickets. This municipal civil infraction ticket shall serve as notice of the alleged violation. Proceedings for the municipal civil infraction shall proceed as provided in the Township Municipal Civil Infractions Ordinance.