

Bainbridge Township Berrien County, Michigan



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Bill Hodge, Supervisor
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PLANNED UNIT DEVELOPMENT Article XVII

Applications for a Planned Unit Development shall be submitted through the Zoning Administrator to the Planning Commission accompanied by a \$100.00 filing fee due at time of filing and an additional \$400.00 to be paid prior to scheduling of the Public Hearing (total application fee \$500.00). Checks should be payable to “Bainbridge Township”.

Include the following:

1. Application.
2. Rezoning Application if applicable.
3. Site Plan:
 - a. A preliminary site plan prepared in accordance with Article XI (11). Additional information required – see Attachment A.
 - b. Prior to the public hearing a final site plan is required, accompanied by a \$400.00 filing fee. The site plan must be prepared in accordance with Article XI (11). Additional information required – see Attachment B.
4. Copy of current paid tax bill, deed, or other proof of ownership, which includes a legal description of the property, property tax number and proof of taxes paid on said property.
5. Statement of Compliance.
6. Request for Public Hearing.
7. Land Division Application.
8. Private Road Application.

The applicant should attend the Planning Commission Meeting and Public Hearing to answer any questions that may arise. If a special meeting of the Planning Commission is requested, a charge for \$500.00 is required to defray Township expenses.

ATTACHMENT A

Additional preliminary scaled site plan requirements are as follows:

1. Such detail as to indicate the functional uses and types of units being requested, the densities being proposed, and the system of collector street being proposed, if any, and sites being reserved for open spaces.
2. An indication of the contemplated storm water and sanitary utility plan and a preliminary indication of how the topography is to be handled.
3. A boundary survey of the exact acreage being requested and the relationship of the tract of land involved to surrounding property.
4. A written statement explaining in detail the full extent to which trees, top soil, ground cover, etc. is to be removed, relocated and/or retained in accordance with the progress of the development.
5. A site plan prepared in accordance with Article XI (11) and in addition:
 - a. On the site plan there shall be the proposed schedule of: usable floor areas and land areas by category of use, building ground coverage, square feet net lot area and preserved open space per dwelling unit, number of parking spaces and such other information necessary to satisfy the intent and requirements of this Article.
 - b. A declaration of restrictions to be placed on a property when subdivided to assure the planned character and uses will be preserved and protected.

ATTACHMENT B

A final site plan for the entire development area carried out in such detail as to indicate the functional uses and types of units being requested, the densities being proposed and the system of collector streets being proposed, if any, and sites being reserved for open spaces and shall include:

1. Location and dimensions of the affected property including legal description.
2. All existing proposed utility easements, including septic and well where applicable.
3. Location, arrangements, numbers and dimensions of all existing and proposed parking facilities, turning spaces, drives, aisles and pedestrian walkways and truck loading facilities within the property.
4. Size, location and setbacks of all existing and proposed structures within the property and abutting the property.
5. The location, dimensions and capacity of all proposed drainage structures.
6. The location and dimensions (height, width, area of face of sign), of all proposed signs.
7. The location and dimension and capacity of any watercourse(s) which conducts an intermittent or ephemeral flow.
8. Location, dimensions and materials used for proposed landscaping.
9. Architectural sketches of a general statement as to the type of construction and materials to be used in the proposed building.
10. The acquisition of any necessary permits, and written statements of test results, such as perk tests, that would be required by the Public Health Department and a written statement meeting the requirements, if any, by the Berrien County Road Commission that pertains to said project.
11. A declaration of restrictions to be placed on a property when subdivided to assure the planned character and uses will be preserved and protected.

APPLICATION FOR PUD

Applicant Name: _____

(Address) (City) (State) (Zip)

Home Phone #: _____ Work/Mobile Phone #: _____

Tax Code Number: 11-01- _____ - _____ - _____ - _____ Zoned District: _____

Name and address of every person, firm or corporation having a legal or equitable interest in the land:

1. _____
2. _____
3. _____
4. _____
5. _____

Name and address of any person, firm or corporation executing the development of this land:

1. _____
2. _____
3. _____
4. _____
5. _____

Describe PUD requested:

Written statement serving the nature of the proposed PUD, the reasons for its use, and how it services the Township Master Plan:

Legal description, showing location and acreage of the property:

Existing zoning classification:

An estimated construction timetable of said project:

List professional qualifications and or prior experience of applicant to execute a PUD:

List permits needed to be obtained for said project:

List common space provisions (financial, maintenance, ownership, taxes, etc.):

List any deed restrictions:

Until a permit has been granted pursuant to the Special Land Use Permit, there shall be no construction or excavation of said land nor shall use of the land be made toward the intended purposes of such Special Land Use Permit.

Signed: _____ Date: _____

STATEMENT OF COMPLIANCE

1. I represent that the enclosed application will comply with the following General Standards:
 - a. The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
 - b. The special land use shall not inappropriately change the essential character of the surrounding area.
 - c. The special land use shall not interfere with the general enjoyment of adjacent property.
 - d. The special land use shall represent an improvement to the use or character of the property under consideration and the surrounding area in general, yet also be in keeping with the natural environment of the site.
 - e. The special land use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.
 - f. The special land use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed special land use shall be able to continually provide adequately for the services and facilities deemed essential to the special use under consideration.
 - g. The special land use shall not place demands on public services and facilities in excess of available capacity.
 - h. The special land use shall be consistent with the intent and purpose of this Ordinance, and the objectives of any currently adopted Bainbridge Township Development Plan.

Describe in detail any and all modifications from the underlying zoning district requested as part of this application:

Signature of Applicant: _____ / Date: _____

**PUBLIC HEARING REQUEST
FOR SPECIAL LAND USE PERMIT**

11-01- _____ - _____ - _____ - _____
Property Tax Code Number

I hereby request a public hearing for the purpose of securing a Special Land Use Permit for property described by the property tax code number shown above.

The address of this property is:

(Address) (City) (State) (Zip)

The requested Planned Unit Development is:

I enclosed proof of ownership, land division application, PUD application, site plan, proof of ownership and legal description of the property, proof of paid taxes, a list of names and addresses of the owners of property within 300 feet of the property covered by this application, and a statement of compliance. If a hearing is granted, I will submit a final site plan and a \$400.00 filing fee.

I further grant site plan reviewers right to enter above said property.

(Name of applicant)

(Street and Number)

(City) (State) (Zip)

(Signature) / _____
(Date)

ARTICLE XI

Site Plan and Scaled Drawing Requirements

Section 11.01 - Intent

- A. The intent of requiring site plan or scaled drawing submittal and review in certain instances specified herein is to facilitate determination of whether certain development proposals meet all applicable requirements and are in harmony with the purpose, intent and spirit of this Ordinance.
- B. It is further the intent to assist township officials in encouraging and assisting proposers of land development to design and implement land use proposals which foster orderly, efficient, compatible and aesthetic uses of land in Bainbridge Township.

Section 11.02 - When Required

- A. Variance or Special Land Use – Except for Single-Family, Two-Family: A site plan shall be prepared and submitted in accordance with Sections 11.03 A. and 11.04 with any application for:
 - 1. Variance or Special Land Use Permit, other than for a Special Land Use Permit for a Home Occupation;
 - 2. With any application for Rezoning, other than Rezoning for the sole purpose of constructing a single-family, two-family or agricultural permitted principal use;
 - 3. With any application for a Zoning Compliance Permit or Building Permit, other than for the sole purpose of constructing a single-family, two-family or agricultural permitted principal use or accessory use thereto; and
 - 4. With any application for a Planned Unit Development or Condominium.
- B. Rezoning – Single-Family, Two-Family: A scaled drawing shall be prepared for the sole purpose of constructing a single-family, two-family or agricultural permitted principal use or accessory use thereto and submitted in accordance with Sections 11.03 B. and 11.04 with any application for:
 - 1. Rezoning;
 - 2. Zoning Compliance Permit;
 - 3. Building Permit; or
 - 4. Variance.

Section 11.03 - Contents

- A. A required site plan shall be drawn at a scale of one (1) inch equals one hundred (100) feet and shall contain the following information:
1. The boundary lines of the area included in the site plan, including angles, dimensions and reference to a section corner, quarter corner or point on a recorded plat, an arrow pointing north, and the individual lot areas and dimensions of the land included in the site plan.
 2. Existing and proposed topography, drainage systems, and structures, with topographic contour intervals of not more than two (2) feet.
 3. The shape, size and location of all structures on the lot including yard dimensions, height, floor area and ground coverage ratios and the finished ground and basement floor grades.
 4. Natural features such as wood lots, trees of more than one (1) foot in diameter, streams and lakes or ponds, and man-made features such as existing roads and structures, with indication as to which features are to be retained and which removed or altered. Adjacent properties and their uses shall be identified.
 5. Proposed streets, driveways, parking spaces, curb cuts, loading spaces and sidewalks, with indication of direction of travel for one-way streets and drives and the inside radius of all curves. The width of streets, driveways and sidewalks, and the total number and layout of parking spaces shall be shown.
 6. The size and location of all existing and proposed public and private utilities and required landscaping.
 7. A vicinity sketch showing location of the site in relation to the surrounding street system.
 8. A legal description of the land and lots included in the site plan.
 9. Any other information necessary to establish compliance with this and any other ordinances.
 10. The availability of adequate utility capacity.
 11. The name, signature, title and mailing address of the person who prepared the site plan. A site plan for any development shall be prepared by a registered architect, engineer, professional community planner or land surveyor.
- B. A required scaled drawing shall be drawn at a scale appropriate to the dimensions of development and shall contain the following information:
1. A legal description of the land involved.

2. A vicinity sketch showing location of the site in relation to the surrounding street system.
3. The size and location of all structures proposed for and presently located on the site.
4. The boundary lines of the parcel of land involved including dimensions and an arrow pointing north.
5. Proposed streets and driveways. The width of streets and driveways shall be shown.
6. Any other information necessary to establish compliance with this and any other ordinances.
7. The name, signature and mailing address of the person who prepared the scaled drawing.

Section 11.04 - Review Process and Approval

- A. Any required site plan or scaled drawing shall be submitted, of original quality, to the Zoning Administrator along with a cover letter signed by the owner of the land and/or prospective developer providing a general explanation and background information on the proposed development.
- B. The Zoning Administrator shall examine the site plan or scaled drawing as to proper form and content and particularly as to compliance with all applicable requirements of this Ordinance.
- C. If the proposed development does not require the issuance of a Special Land Use Permit by the Planning Commission, Variance by the Board of Appeals or a Rezoning of land by the Township Board, within thirty (30) days after receipt the Zoning Administrator shall notify in writing the proposer of the development of the approval or disapproval of the site plan or scaled drawing. If the site plan or scaled drawing is disapproved, the reasons therefore shall be given. Such disapproval shall be limited to inadequacy or defect in form or content and/or noncompliance with identified applicable provisions of this Ordinance. The Zoning Administrator may, at his discretion, request consultation with the Planning Commission prior to his approval or disapproval of the site plan.
- D. If the proposed development requires issuance of a Special Land Use Permit, the Zoning Administrator shall transmit his findings as described in paragraph C. above, to the Planning Commission along with a copy of the site plan and covering letter. The proposer of the development shall be notified of the status of his requested site plan approval.
- E. If the proposed development requires a rezoning of land, the Zoning Administrator shall transmit his findings as described in paragraph C., above, to the Township Board which shall follow the amendment procedure as provided in Article XV (15). The site plan or

scaled drawing and cover letter shall accompany the Zoning Administrator's findings. The proposer of the development shall be notified of the status of his requested site plan or scaled drawing for approval.

- F. If the proposed development requires a Variance, the Zoning Administrator shall transmit his findings as described in paragraph C., above, to the Board of Appeals which shall follow the Variance procedure as provided in Article XIII (13). The site plan or scaled drawing and cover letter shall accompany the Zoning Administrator's findings. The proposer of the development shall be notified of the status of his requested site plan or scaled drawing for approval.
- G. The decision rejecting, approving, or conditionally approving a site plan shall be based upon the requirements contained in Section 11.03, A. The decision rejecting, approving or conditionally approving a scaled drawing shall be based upon the requirements contained in Section 11.03, B.
- H. A site plan or scaled drawing shall be approved if it contains the information required by this Ordinance and is in compliance with this Ordinance and the conditions imposed thereunder, other applicable Township, County, State or Federal laws, rules or regulations.
- I. The site plan or scale drawing as approved shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan or scaled drawing, unless a change conforming to this Ordinance receives the mutual agreement of the landowner and approving body.
- J. Upon approval of a site plan, the secretary of the approving body shall, within five (5) days, file with the Zoning Administrator a copy of the approved site plan or scaled drawing.

ARTICLE XVII

Planned Unit Development

Section 17.01 – Intent

- A. The intent of this Article is to provide a degree of flexibility with regard to the use, area, height, bulk and placement regulations for relatively large-scale developments which qualify as Planned Unit Developments. A Planned Unit Development shall incorporate features and benefits to the community and to the property which would not be possible to achieve through the use of conventional development patterns or design. These may include, but are not limited to, housing developments, shopping centers, industrial districts, office districts and medical and educational campuses.
- B. It is the intent to allow a Planned Unit Development in all districts, subject to Special Land Use Permit as set forth in this Article and Article X (10).
- C. The use, area, height, bulk and placement regulations of this Ordinance are primarily applicable to the usual situation of one (1) principal building on one (1) lot. These requirements would in certain large developments have results which would less serve the public health, safety and welfare if a portion of the open space requirement for individual dwellings were consolidated into playgrounds or community parks.
- D. A development may be of such large size as to justify permitting certain incidental uses not normally permitted in the zoning district. Permitting these uses as Special Land Uses can in certain cases increase convenience, are compatible with the overall character of the district and not be injurious to adjoining properties. As an example, a large office building or multiple developments might include a coffee shop, food store or barber shop primarily intended for occupants or residents of the premises.
- E. Subject to the foregoing statement of intent and the limitations and requirements of this Article, the Planning Commission may, upon application, approve special land uses and exceptions in reference to the use, area, height, bulk and placement regulations of the Zoning Ordinance.
- F. The physical development of the area must start within one (1) year of the date of approval. The failure to start the development shall invalidate the plan and the sponsor shall then be required to resubmit the preliminary plan for review and approval as in the first instance. Provided, however, that the Township Board, upon review of the Planning Commission, may extend such period of time up to one (1) year.

Section 17.02 – Definition

- A. **Planned Unit Development:** A Planned Unit Development must constitute a land area of at least five (5) acres to be occupied by principal building(s) located on a lot of record in accordance with Article V, Schedule of District Regulations. The development shall

be designed as an entity intended to be substantially completed within three (3) years if less than fifty (50) acres and five (5) years if more than fifty (50) acres.

Section 17.03 – Application Procedure

- A. **Applicant:** Any person owning or having an interest in the subject property may file an application for a Planned Unit Development provided for in this Article in the zoning district in which the land is situated. No Planned Unit Development shall be erected or platted in the Township without first having the applicant secure all permits as described in this Article.

- B. **Application:** An application and site plan shall be submitted through the Zoning Administrator, to the Planning Commission. Each application shall be accompanied by the payment of a fee and deposit to escrow in accordance with the schedule of fees adopted by the Township Board to cover the costs of processing the application. No part of any fee shall be refundable while any unused escrow deposit will be returned to the applicant upon final disposition of the application.

- C. **Required Information:** The Zoning Administrator shall then submit to the Planning Commission after review for completeness pursuant to Article X (10) and the following:
 - 1. Application signed by owner and/or prospective developer holding an equitable interest in the property in question indicating:
 - a. Legal description, showing location and acreage of property
 - b. Existing zoning classifications
 - c. General description of proposed development and estimated timetable of construction

 - 2. A statement and other evidence or proof by the applicant of present and future compliance with the standards required for approval in Article X (10), Section 10.04, C and other standards imposed by this Ordinance affecting the special land use under consideration. Such statement shall describe in detail any and all modifications or deviations from the requirements of the underlying zoning district requested as a part of the Planned Unit Development application.

 - 3. A site plan prepared in accordance with Article XI (11) and in addition:
 - a. On the site plan there shall be the proposed schedule of: usable floor areas and land areas by category of use, building ground coverage, square feet net lot area and preserved open space per dwelling unit, number of parking spaces and such other information necessary to satisfy the intent and requirements of this Article.
 - b. A declaration of restrictions to be placed on a property when subdivided to assure the planned character and uses will be preserved and protected.

4. Land Division and Private Road Application.

- D. **Incomplete Application:** An application which is incomplete or otherwise not in compliance with this Ordinance shall be returned to the applicant. No application shall be processed until properly prepared and submitted and all required fees paid in full.

Section 17.04 - Processing

- A. **Copy of Application to Planning Commission:** The Zoning Administrator shall forward a copy of the application for the Planned Unit Development to the Planning Commission within thirty (30) days of receiving a complete application request.
- B. **Review and Hearing:** The Planning Commission shall conduct a preliminary review of the proposed Planned Unit Development and may provide comment and ask questions seeking further information, but shall not render any judgment in support or opposition until the required public hearing has been completed. In no event shall any comments made by Planning Commission members at such preliminary review be regarded as final or definitive and in no instance shall the Township be bound by any such comments. After a preliminary review of the site plan and an application for a Planned Unit Development, the Planning Commission shall hold a hearing on the site plan and special land use request in accordance with Article X (10).

Section 17.05 – Review and Approval

- A. All procedures for review and approval will comply with those procedures and regulations set forth in this Article and Article X (10).
- B. The Planning Commission shall review the application and site plan and, pursuant to Subparagraph D hereof, prepare a determination on whether or not the proposed development best serves the intent of this Ordinance and the public health, safety and welfare with respect to the requested special land use and exception. The determination shall be based on findings of fact on the following:
1. Does the proposal constitute a bonafide Planned Unit Development?
 2. Is the public health, safety and welfare served by the proposal?
 3. Have the following considerations been evaluated: location, density of population, adequacy of school, park, and other public facilities, traffic volumes and circulation, compatibility with existing development, adequate provision for light and air and accessibility for fire and police protection?
 4. Is the proposal compatible with objectives of the General Development Plan or specific elements thereof which have been officially adopted by the Planning Commission?

5. Is adequate provision made for dedication of land for streets, floodplains and parks?
6. Are the exceptions from district regulations within the limitations of this Ordinance?
7. What other conditions should be required for issuance of a Special Land Use Permit or exceptions in regard to use, area, height, bulk or placement?

C. The Planning Commission may, upon an affirmative finding on items 1 through 7 above approve such Special Land Uses and exceptions for such Planned Unit Development subject to the following limitations pertaining to alternative types of Planned Unit Development forms, in addition to those standards established in Section 10.04:

1. **Residential District Planned Unit Development** - All Planned Unit Developments in the R-AG, R-1, R-2, and RMH, districts shall be subject to the following limitations:
 - a. A maximum of five (5) percent of the total developed area may be utilized for uses permitted in the C, Commercial District.
 - b. No business use or any building devoted primarily to a commercial use shall be built or established prior to the residential buildings or uses for which it is developed or intended to serve.
 - c. The minimum area, dimensions and setbacks of individual buildings and lots may be reduced, provided the total number and density of dwellings shall be increased by no more than twenty (20) percent greater than that which would ordinarily result under the district regulations. To define the number of dwellings permitted under the district regulations as a use by right, the Planning Commission may require the developer to prepare a yield plan based on a feasible development in conformance with the standards of the underlying zoning district. Land accruing from reduction in lot requirements shall be laid out, developed and perpetually dedicated and reserved for open space, recreational and conservation purposes. Provisions for reservation and maintenance of such land shall be included as part of the Special Land Use Permit authorizing the Planned Unit Development.
 - d. A minimum of twenty (20) percent of the land developed in any Residential Planned Unit Development shall be reserved for common open space and noncommercial recreational facilities for the residents and users of the area being developed. Provisions for reservation and maintenance of such land shall be included as part of the Special Land Use Permit authorizing the Planned Unit Development.
 - e. Under no circumstances shall industrial uses be permitted within a Residential District Planned Unit Development.

2. Commercial District Planned Unit Development: All Planned Unit Developments in commercially zoned districts shall be subject to the following limitations:
 - a. The use, area, height, bulk and placement regulations of the district may be varied to allow for a variety of architectural design.
 - b. Notwithstanding any other provisions of this Section, every lot abutting the perimeter of a Commercial Planned Unit Development shall maintain all yard requirements of Section 5.10 for commercial zoning districts.
 - c. A maximum of fifteen (15) percent of the total developed area may be utilized for multiple-family residential use.
 - d. A maximum of five (5) percent of the total developed area may be utilized for industrial uses which are deemed compatible with the commercial and/or residential character of the Planned Unit Development.
 - e. A minimum of fifteen (15) percent of the land developed in any Commercial Planned Unit Development shall be reserved and utilized for common open space and noncommercial recreational facilities for the uses of the area being developed. Provisions of reservation and maintenance of such land shall be included as part of the Special Land Use Permit authorizing the Planned Unit Development.
3. Industrial District Planned Unit Development: All Planned Unit Developments in industrially zoned districts shall be subject to the following limitations:
 - a. The use, area, height, bulk and placement regulations of the district may be varied to allow for a variety of architectural design.
 - b. Notwithstanding any other provisions of this Section, every lot along the perimeter of the Industrial Planned Unit Development shall maintain all yard requirements of Section 5.10 for industrial districts.
 - c. A maximum of ten (10) percent of the total developed area may be utilized for uses that are permitted in the C, Commercial District.
 - d. A minimum of five (5) percent of the land developed in any Industrial Planned Unit Development shall be utilized for common open space and noncommercial recreational facilities for the users of the area being developed. Provisions for reservation and maintenance of such land shall be included as part of the Special Land Use Permit authorizing the Planned Unit Development.
4. Cluster/Open Space Planned Residential Developments.

In the R-AG and AG zoning districts, an applicant may propose a cluster/open space Planned Unit Residential Development which shall be subject to the following process:

- a. The information identified in Section 17.03 will be required. Where perceived conflicts exist, the requirements of this subsection will be applied.
- b. The developer will be required to submit an existing features site analysis identifying the site's special natural features to be preserved as open space. The analysis will contain (1) the location of constraining features, such as wetlands, watercourses, 100 year floodplains, rights-of-way and easements and, (2) location of significant features such as tree lines, woodlands, scenic views, watershed divides, drainage ways, existing roads and structures. A general soils map of the site based upon the USDA Soils Inventory of Berrien County shall also be submitted. As an option, the Planning Commission may conduct an on-site visit to walk the site and become familiar with the setting and special features.
- c. The developer will then be required to submit a conceptual preliminary plan that describes initial thoughts about the overall layout of the proposed development, including location for house sites, greenways, and roads as well as conservation areas. The Planning Commission may confer with the applicant and may provide comment or ask questions seeking further information concerning the proposed development, but shall not render any judgment in support or opposition until a final development plan has been submitted and the required public hearing has been completed. Provided, however, that in no event shall any comments made by Planning Commission members at such conceptual review meeting be regarded as final or definitive and in no instance shall the Township be bound by any such comments.
- d. The conceptual preliminary plan shall be developed according to the following five step process:
 1. All potential open space/conservation areas which shall be identified as (a) Primary and (b) Secondary. Primary areas will consist of special features, such as wetlands, floodplains, and soils susceptible to slumping and considered not buildable. Secondary areas shall comprise of a minimum of fifty (50%) percent of the remaining area of the site and include the most noteworthy natural, scenic and cultural resources. A minimum of fifty (50%) percent of the land must be designated Open Space/Primary area, whether Primary or Secondary areas. No development of homes or roads or related facilities shall be permitted in Primary or Secondary open space/conservation areas.
 2. The developer shall calculate the number of units that would be allowed on the site considering the minimum lot size of Five (5) acres. This determination shall be based upon the following formula:

- a. The total acreage minus all primary conservation areas = net buildable area. Net buildable area divided by five (5) = maximum number of allowed lots.
 - b. The number of allowable building lots may be increased within a cluster/open space design by twenty-five (25%) percent, if public water and sewer facilities are required as a condition of approval. This 'density bonus' calculation may be used as the basis for identifying the number and location of houses or structures proposed for the site. The 'density bonus' will also allow lot size to decrease to a minimum of four (4) acres.
 - c. Street and lot layout shall be identified. Streets shall be designed to provide access to each house or structure in the most reasonable and economical fashion possible. Streets shall avoid, impacting primary open space/conservation features. Streets shall be designed to minimize the amount of area devoted to road surface while providing access to all houses or structures and to maximize the views of open space from lot.
 - d. Lot lines shall be drawn between building footprints, meeting the required lot sizes and setbacks as identified in this Ordinance. The area of each lot must be a minimum of two (2) acres with at least one hundred sixty (160') feet of road frontage, except as adjusted to conform to the density bonuses identified in Section 17.05,2, b, above. Lot boundaries may not extend through or into Primary or Open Space areas.
3. Prior to acceptance of the Planned Unit Development application for processing by the Planning Commission in accord with Section 17.04, the applicant shall submit a preliminary engineering certification that the approximate layout of proposed streets, house lots, and open space lands complies with the Township's zoning, lot split, street and drainage ordinances.
 4. Maintenance of Common Open Space: common open space within the development will be maintained by the developer or homeowners association, unless the Township accepts such responsibility.
 5. The Township may also request the developer to dedicate some portion of the site as public open space. To facilitate such a dedication, the developer may increase the number of proposed units by one for each two acres of open space dedicated for public use.

D. Approval of Outline Development Plan

1. Within a maximum of sixty (60) days after the receiving of a complete application and the outline development plan, the Planning Commission shall give notice of a public hearing in accordance with Article X (10) to be held on the plan before the Planning Commission. After the hearing, the Planning Commission shall approve, disapprove or approve with modifications the outline development plan pursuant to the findings of fact required by Section 17.05, B, and subject to the submission of a final development plan as required by this Article.
2. Although the outline development plan is approved or approved subject to conditions or modifications, no building permits may be issued on land within the Planned Unit Residential Development until the final development plans for the total project area have been approved by the Planning Commission under the procedures required by this Article.
3. Concurrent Application: An application for a Planned Unit Residential Development may be processed, noticed and heard by the Planning Commission concurrently with an application for a proposed subdivision or re-subdivision, or site condominium of the same property in accordance with Article XX (20) of this Ordinance and the Michigan Land Division Act., Act 288 of 1967, as amended.

Section 17.06 – Appeals

- A. Any person, firm, corporation or department, board or bureau of the Township aggrieved by the decision of the Planning Commission on Special Land Uses for the purpose of establishing a Planned Unit Development may seek review by the Township Board of Appeals in the manner prescribed in Article XIII (13).

Section 17.07 – Effect of Approval of Planning Commission

- A. The approval of the application by the Planning Commission shall allow the Zoning Administrator to issue a Zoning Compliance Permit in conformity with the application as approved in this Article and Article X (10).