

**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES MEETING  
SPECIAL STUDY SESSION**

Tuesday, February 5, 2019  
7:00 PM



**CALL TO ORDER** at \_\_\_\_\_ **P.M.**

**A. ROLL CALL:** Kurt Heise\_\_\_\_\_, Mark Clinton\_\_\_\_\_, Chuck Curmi \_\_\_\_\_,  
Bob Doroshewitz \_\_\_\_, Jerry Vorva \_\_\_\_, Jack Dempsey\_\_\_\_\_,  
Gary Heitman \_\_\_\_\_

**B. APPROVAL OF AGENDA**  
Tuesday, February 5, 2019

**C. NEW BUSINESS**

1. Board Discussion on Text Amendments to Chapter 99 of the Zoning Code Article 22 (Cluster Housing Options) – *Planning Consultant Laura Haw & Attorney Kevin Bennett*

- Public Comment on Agenda Item (limited to 3 minutes per person)

**D. SUPERVISOR AND TRUSTEE COMMENTS**

**E. ADJOURNMENT**

**PLEASE TAKE NOTE:** The Charter Township of Plymouth will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at all Township Meetings, to individuals with disabilities at the Meetings/Hearings upon two weeks notice to the Charter Township of Plymouth by writing or calling the following: Human Resource Office, 9955 N Haggerty Road, Plymouth, MI 48170. Phone number (734) 354-3202 TDD units: 1-800-649-3777 (Michigan Relay Services)

**The Public Is Invited and Encouraged To Attend All Meetings of  
the Board of Trustees of the Charter Township of Plymouth.**



## CHARTER TOWNSHIP OF PLYMOUTH REQUEST FOR BOARD DISCUSSION

**MEETING DATE:** February 5, 2019

**ITEM:** Discussion of a Text Amendment to Zoning Ordinance No. 99, Article XXII: Single Family Cluster Housing (PC Application #2316)

**PRESENTERS:**

Ms. Laura Haw, AICP, NCI, Planning Director  
Kevin Bennett, Township Attorney

**BACKGROUND AND TEXT AMENDMENT REQUEST:**

A Cluster Housing Option (CHO) is a flexible development method that may be considered on Township parcels that meet the following minimum qualifications:

1. Parcels less than 40 acres in size;
2. Residential zoning classification of the R-1-E, R-1-H, R-1-S, R-1, and R-2 district; and
3. Potential for an open space benefit, as opposed to conventional subdivision design.

Cluster Housing Options are currently governed by Article XXII: Single Family Cluster Housing of the Township Zoning Ordinance, No. 99. No change to the above minimum qualifications for consideration is proposed as part of this text amendment. Rather, specific sections within Article XXII that govern the measurable benefits to the Township and provisions for a density bonus consideration are proposed at this time.

**It is critical to note that no reduction or change to the public process is proposed as part of this text amendment.**

Text amendment consideration of Article XXII was initiated at the request of Grand Sakwa to permit additional flexibility in the consideration of a density bonus. Presently, the Zoning Ordinance does not permit additional density considerations for exemplary projects, which can be viewed in planning as an incentive for higher quality development. However, a standalone provision for additional density is not in the best interest of the Township from a planning and quality of life perspective. Thus, Article XXII was also reviewed and updated for best practices related to neighborhood design, open space considerations and community benefits. Such provisions include, but are not limited to:

1. Section 22.1: Additional eligibility criteria to properly elevate the merits of a proposed Cluster Housing Option;
2. Section 22.3: Additional application requirements for submittal;
3. Section 22.9: Additional contract specifications;
4. Section 22.10: Additional open space requirements;
5. Section 22.10: Justification standards for separation distance modification requests;
6. Section 22.10: Higher quality architectural standards;
7. Section 22.11: Request for a Density Impact Study provision; and
8. Section 22.12: Exemplary Project justification standards.

The enclosed draft Article XXII reflects all Attorney and Planning Commission recommendations; new, proposed text is shown with red underline and existing text to be removed is shown with ~~strikeout~~.

**RECOMMENDATION:**

To consider, at a future meeting, a text amendment to Article XXII of the Zoning Ordinance, No. 99.

# Charter Township of Plymouth Zoning Ordinance No. 99

## Article 22: Single Family Cluster Housing

### ARTICLE XXII

#### SINGLE FAMILY CLUSTER HOUSING – **DRAFT v.2**

##### PURPOSE

The purpose of the Single Family Cluster Housing Option (**CHO**) is to permit optional methods of development and arrangement of single family structures on parcels less than forty (40) acres gross area in the R-1-E, R-1-H, R-1-S, R-1 and R-2 single family residential districts, which provide for design alternatives compatible with existing and future adjacent single family subdivisions, and which meet one or more of the following characteristics:

1. The parcel contains natural assets such as large stands of trees, rolling topography, swale areas, flood, plains or wetlands which would be in the best interest of the community to preserve and would otherwise be substantially destroyed if developed under traditional subdivision requirements.
2. Because of the parcel's peculiar configuration, it would be difficult to develop under traditional subdivision requirements.
3. Because of the parcel's particular relationship to thoroughfare and/or collector roads and existing circulation patterns for abutting subdivisions, it would be difficult to develop under traditional subdivision requirements.
4. Because of the parcel's particular relationship to a limited access highway, development under the cluster option would result in a more suitable living environment than could be achieved under strict adherence to traditional subdivision requirements.

#### **SEC. 22.1 STATEMENT OF PRINCIPLES SINGLE FAMILY CLUSTER HOUSING ELIGIBILITY PRINCIPLES**

Single Family Cluster Housing is an optional method of development which may be permitted only after a public hearing, review and recommendation by the Planning Commission, and approval by the Township Board of Trustees, and upon finding that the proposed cluster housing development reflects the following basic principles:

1. The proposal is in conformity with the spirit and intent of the Cluster Housing Option as established in the purpose Section of this Article.
2. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the CHO regulations.
- 2.3. The vehicular circulation system planned for the proposed development will be in the best interest of the public health, safety and welfare in regards to the overall circulation of the community, egress/ingress to the site, vehicular turning movements related to street intersections and street gradient, site distance and potential hazards to the normal flow of traffic.

##### PURPOSE

##### SEC. 22.1

##### STATEMENT OF PRINCIPLES

## Charter Township of Plymouth Zoning Ordinance No. 99

### Article 22: Single Family Cluster Housing

In reviewing the proposed interior circulation system for the proposed project, the Planning Commission shall determine the necessity for public roads and the potential future extension of such roads to adjacent properties.

All interior roads, both public and private, shall be constructed in compliance with existing construction standards as adopted by the Wayne County Department of Public Services for residential streets. The Planning Commission and/or Township Board may waive this requirement after review and recommendation by the Township Planner and Township Engineer, provided the proposed waiver will not materially impair the intent and purpose of this Ordinance or the public interest.

- 3.4. The proposed units, circulation, layout, parking facilities, pedestrian connections / circulation and any open space or recreation activity areas / amenities are designed and located in a manner that ensures the stability of existing or future conventional single family residential properties in the area.
- 4.5. Proposed landscape plantings, fences, walls and/or open space areas are appropriate and of sufficient size, height and quantity to insure that the proposed development will not be objectionable to nearby existing or future conventional single family residential properties by reason of noise, fumes or flash of lights from automobiles, or exterior lighting; nor will it interfere with an adequate supply of light and air, increase the danger of fire or otherwise endanger the public safety.
- 5.6. The development shall be designed to create a cohesive community neighborhood through common open space areas for passive or active recreation and for resident interaction. All open space areas shall be equally available to all residents of the Cluster Housing community. The neighborhood shall be designed to create clusters of housing, synergy and promote interaction. Where applicable, the development should provide a range of housing opportunities through varied housing types, dwelling sizes and lot sizes within a single neighborhood.
- 6.7. The development will permit the protection of environmentally sensitive areas and preserve on a permanent basis open space, natural features, including large stands of trees, rolling topography, significant views, swale areas, flood plains or wetlandst. This principle (Section 23.1.2) may not be applicable to potential redevelopment sites in the ARC or OS-ARC Districts, in which case Section 23.1.8 below shall apply. This determination shall be made by the Planning Commission and Township Board after review of a documented site analysis to be submitted by the applicant. In the case of a proposed CHO to a site which is lacking said natural areas, this requirement can be satisfied by the creation of natural areas and amenities.
- 7.8. The Cluster Housing Option will provide long-term protection of historic structures or significant architecture worthy of historic preservation, if applicable.
- 8.9. The proposed development will not adversely impact the capability of public services and facilities in the area or the Township as a whole.

#### SEC. 22.2 APPLICATION

## Charter Township of Plymouth Zoning Ordinance No. 99

### Article 22: Single Family Cluster Housing

Application for approval shall be made by the titleholder or titleholders of any parcel where use of the Cluster Housing Option is contemplated. The application shall be accompanied by a fee determined by Township Board resolution to cover the cost of evaluating the application.

#### SEC. 22.3 APPLICATION INFORMATION

Application for a Cluster Housing Option approval shall contain the following information:

##### 1. Survey and Site Analysis

- (a) A metes and bounds survey and legal description of the acreage comprising the proposed Cluster Housing Development, including a disclosure of mineral rights ownership.
- (b) Topographic survey, including natural and manmade features at a scale of one inch equals fifty feet (1"=50'), with a contour interval not to exceed two (2) feet.
- (c) Site analysis, which identifies the character, structure and potential of the site as it relates to this Article, including areas adjacent to the subject property and sufficient information about the nearby properties, so that a determination can be made by the Planning Commission and Board as to the impact of the proposed Cluster Housing development on the general planning area in which it is located. The analysis shall include as a minimum the following:
  - 1) Adjacent Land Uses: Indicate type and impact on adjoining lands, direction and distance to community facilities; show transportation routes related to site.
  - 2) Drainage: Natural watershed (direction), drainage swales and swamp areas.
  - 3) Soils: Depth of topsoil and type of soils.
  - 4) Vegetation: Locate and identify existing tree masses, locate and identify specimen plant material and indicate type of ground cover.
  - 5) Existing Conditions: Structures, utilities and circulation.
  - 6) Special Features: Lakes, streams, ponds, floodplains and wetlands, dramatic views and significant natural, archeological, historical or cultural features.

- 2. Documentation related to the Purpose and Eligibility Principles sections of this Article indicating why this parcel should be considered for development under the Cluster Housing Option, with a specific description of the proposed recognizable benefit to the ultimate users of the project and to the community.
- 3. General Development Plan: A plan of sufficient detail to define the proposed location of buildings, parking, interior circulation of vehicles and pedestrians (including sidewalks, trails and bike paths, etc.), landscape areas, open / recreation spaces, other special site amenities / features, and the method of handling storm water run-off, sanitary sewer and water facilities. (Scale 1"=50' minimum).

## Charter Township of Plymouth Zoning Ordinance No. 99

### Article 22: Single Family Cluster Housing

4. Proposed method of ownership.
5. General concept of the building types to be used, including typical architectural elevations of proposed residential dwellings.
6. A parallel plan conforming to all applicable requirements of a conventional residential development demonstrating the number of residential units or lots that could be developed following the requirements of the zoning district without the cluster option.
7. Any other pertinent information deemed necessary by the Planning Commission or Township Board to make a determination concerning the desirability of applying the provisions of this Article.

#### 22.4 PUBLIC HEARING REQUIREMENTS

At least one (1) public hearing shall be held by the Planning Commission on a proposed Cluster Housing Development Option in order to acquaint the public and adjoining property owners with the proposal prior to ~~finishing~~ furnishing of detailed plans and specifications by the Applicant. Notice of the hearing shall be published in a newspaper which circulates in the Township, not less than 15 days before the public hearing, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed, within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than 15 days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. The notice shall be prepared in accordance with the Michigan Zoning Enabling Act, Act 110 of 2006, as amended, and shall:

1. Describe the nature of the Cluster Housing request.
2. Indicate the property which is subject of the Cluster Housing request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
3. State when and where the Cluster Housing request will be considered.
4. Indicate when and where written comments will be received concerning the request.

#### SEC. 22.5 PLANNING COMMISSION RECOMMENDATION

The Planning Commission shall review the proposed Cluster Housing Option for conformance with the provisions of this Ordinance, the intent, spirit, and purpose of this Article, and the statement of Eligibility Principles listed in Section 22.1. ~~and its compatibility with adjacent uses of land, the natural environment, and the capability of public services and facilities affected by the proposed Cluster.~~

SEC. 22.4  
SEC. 22.5

PUBLIC HEARING REQUIREMENTS  
PLANNING COMMISSION  
RECOMMENDATION



## Charter Township of Plymouth Zoning Ordinance No. 99

### Article 22: Single Family Cluster Housing

Within a reasonable time following the public hearing and having a complete application, the Planning Commission shall recommend to the Township Board of Trustees approval, denial or approval with conditions of the Cluster Option. The decision and basis for the decision shall be recorded in the meeting minutes. The Commission's recommendations shall be forwarded to the Township Board of Trustees stating the Commission's findings, recommendations and any recommended conditions of approval.

#### SEC. 22.6 TOWNSHIP BOARD ACTION

Upon receipt of the recommendations of the Planning Commission, the Township Board shall review the application, recommendations, and may approve, approve with condition, or deny the application. The decision and basis for the decision shall be recorded in the meeting minutes.

#### SEC. 22.7 DISAPPROVAL BY TOWNSHIP BOARD

If the Township Board denies the request to apply the provisions of the Cluster Housing Option to the parcel of land as described in the survey submitted with the application, it shall record the decision and the basis for the decision in the meeting minutes. In the case of a denial, development of the subject property can be made only in accordance with the provisions of the Zoning Ordinance for the district where the property is located.

#### SEC. 22.8 APPROVAL BY TOWNSHIP BOARD

If the Township Board of Trustees approves the request to apply the provisions of the Cluster Housing Option to the parcel of land as described in the survey submitted with the application, ~~it shall record the decision and the basis for the decision in the meeting minutes.~~ Approval by the Board shall confer approval to develop the parcel of land described in the application under the conditions and requirements of the Cluster Housing Option. Such approval shall be further subject to the following:

1. Cluster Housing Option approval shall not constitute approval of a preliminary plat, final plat, final site plan or final site condominium plan.
2. Approval Period: Said approval by the Township Board of Trustees shall grant the applicant a period of one (1) year ~~and six (6) months~~ from the date of Cluster Housing Option approval to submit and receive final site plan or final site condominium plan approval (dependent upon the method of ownership proposed), and to submit a CHO contract for approval to the Township Board.
3. Extensions of Cluster Housing Option approval may be granted by the Township Board upon written request of the applicant and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed Cluster Housing Option.
4. Approval of the final site plan or final condominium site plan and approval of a Cluster Housing Option contract by the Township Board is a prerequisite for issuance of a building permit by the Department of Building and Code Enforcement.

#### SEC. 22.9 CONTRACT REQUIREMENTS

SEC. 22.6	TOWNSHIP BOARD ACTION
SEC. 22.7	DISAPPROVAL BY TOWNSHIP BOARD
SEC. 22.8	APPROVAL BY TOWNSHIP BOARD

## Charter Township of Plymouth Zoning Ordinance No. 99

### Article 22: Single Family Cluster Housing

Prior to final site plan, final plat, or final condominium site plan approval, or in conjunction with the respective submissions, the applicant shall submit to the Planning Commission for recommendation and to the Township Board for approval, a proposed contract setting forth the conditions upon which approval of the Cluster Housing Development is based. The contract, after review by the Planning Commission and approval by the Township Board, shall be entered into between the Township and the developer. Said contract shall provide:

1. The manner of ownership of the land, including mineral rights.
2. The manner of the ownership and of the dedication of the common open land space, parks and/or amenities.
3. The restrictive covenants required for membership rights and privileges, maintenance and obligation to pay assessments for the common open land space, parks and/or other features. The dedicated open space shall be set aside by the developer through an irrevocable conveyance and protected by a Maintenance Agreement, in a form and manner acceptable to the Township. Such conveyance shall assure the open space will be protected and used as intended on the concept plan. Said documents shall bind all successors and future owners in fee title to commitments made as part of the proposal, but shall allow transfer of ownership and control to a subdivision or condominium association consisting of residents within the development, provided notice of such transfer is provided to the Township. Such conveyance shall indicate the allowable use(s) within the dedicated open space. Upon transfer to a successor of the developer, the open space shall be maintained by the property owners association or condominium association.
4. The stipulations pertaining to commencement and completion of the phases of the development, to construction, installation, repairs and maintenance of improvements, to obligations for payment of any costs, expenses or fees planned or reasonably foreseen, and to the manner of assuring payment of obligations.
5. Provisions for the Township to effect construction, installation, repairs and maintenance and use of public utilities, storm and sanitary sewers and drainageways, water, streets, sidewalks and lighting, and of the open land and improvements thereon, and any other conditions of the plan, and the manner for the assessment, and enforcement of assessments for the costs, expenses, or fees incidental thereto against the applicant, or the future owners or occupants of the Cluster Housing Development.
6. The Final Development Plan, final condominium site plan or final plat shall be incorporated by reference and as exhibits.
7. Provisions reasonably and necessarily intended to protect public health, safety, morals or general welfare of neighboring residents or the Township as a whole, to address any conditions of approval, or to further the purpose and intent of this Article.

#### SEC. 22.10 GENERAL CONDITIONS

The option allows for development of detached and attached one family dwelling clusters in the R-1-E, R-1-H, R-1-S, R-1, ~~R-M~~ and R-2 Residential Districts.



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### Article 22: Single Family Cluster Housing

1. Clustering of the dwelling units shall be in a manner which preserves the basic amenities normally found in single family residential neighborhoods, while allowing for innovative site layout, and a ~~potential~~ increase of common open space, parks, natural areas, and/or amenities.
2. Open space shall be designed to achieve the following, as applicable on a site-by site basis:
  - (a) Organized around the site's most important natural features, a physical design element or to link existing and planned open spaces.
  - (b) Provide pedestrian pathways within the open spaces and link with adjacent open spaces, public parks, Township facilities or existing and planned non-motorized routes.
  - (c) Provide areas for active public recreation, informal spontaneous recreation or passive recreation amenities for the benefit of residents or users of the development.
  - (d) Preserve or create a buffer from adjacent land uses.
  - (e) Be highly visible within the development and/or from public view.
3. Each dwelling unit shall be provided with a private exterior entrance, with visual and physical separation from adjacent dwelling units.
4. The method by which dwelling units may be attached shall be limited to the following:
  - (a) A common party wall in the garage portion of the unit only.
  - (b) Obscuring walls, architectural screens fencing or similar elements designed to create a private outdoor area.
  - (c) A common party wall between individual dwelling units, which defines interior living or storage space, provided that the exterior design of the building is compatible with existing single family structures located in the general area in architectural style, size, overall floor area and height, and that the structure complies with acoustic control standards as established by the Chief Building Official ~~for Cluster Housing.~~
5. Where the proposed cluster development abuts an existing conventional single family subdivision or land zoned for single family use, the Planning Commission shall ensure that an orderly transition occurs in one of the following manners:
  - (a) Detached single-family dwellings, subject to the standards of the Schedule of Regulations for the particular zoning district.
  - (b) Open or recreation space and associated amenities. Any accessory uses / structures that are a significant different scale or character than the surrounding residential districts (such as tennis courts, parking areas, etc.) shall not be located near the boundary of the development so as to negatively impact the residential use of adjacent lands.
  - (c) Sufficient change of topography.
  - (d) Buffer plantings of sufficient size, character, density and quantity to adequately provide for an orderly transition.
  - (e) Any other means the Planning Commission finds to be consistent with the spirit and intent of this Ordinance and the objectives of this Article.

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### Article 22: Single Family Cluster Housing

6. Attached dwelling units shall be subject to the following:
  - (a) The maximum number of units which may be attached shall be ~~four (4)~~ six (6) units.
  - (b) The exterior design of the structures shall be compatible with existing single family structures located in the general area of the project in regards to architectural style, size, overall floor area and height.
  - (c) Variety in the design of individual units shall be provided by the use of design details which do not appear to be continuous or repetitious. A building pattern which is repetitious throughout the project shall not be permitted.
7. All buildings shall be set back a minimum of forty (40) feet from the street setback line for a major thoroughfare [projected right-of-way one hundred twenty (120) feet] or collector road [projected right-of-way eighty-six (86) feet]. The Planning Commission may reduce this requirement to allow development consistent with existing or future single family developments along the major thoroughfare or collector road.
7. All buildings shall be set back a minimum of forty-two (42) feet from the edge of any internal private street providing general circulation through the site. A minimum setback of twenty-five (25) feet ~~shall be provided on drives whose primary purpose is to serve as access for only a few units. may be permitted, provided the project offers exemplary design and neighborhood best practices, such as additional recreational amenities, pedestrian connections, and streetscape enhancements with additional landscaping and street lighting. The Planning Commission on the basis of the Site Plan shall determine which streets provide general circulation and those which serve only a few units.~~
8. **Yard and Building Separation Standards**

The requirements of Article 20, Schedule of Regulations applicable for minimum lot size and yard requirements shall not apply under the Cluster Housing Option. The arrangement of buildings, distances between buildings and intended use of yard areas shall be reviewed by the Planning Commission. Yard requirements and minimum separation distances between buildings shall be provided as follows:

  - (a) **Separation between Detached Dwelling Units.** A minimum of ten (10) feet shall be provided between each detached unit except that the distance between garages or between a garage and living area may be reduced to six (6) feet with Planning Commission approval. The applicant shall clearly indicate the intended use of outdoor and indoor areas and proposed elevations facing each other. Where the space between units is intended for use as outdoor living space, the separation shall be a minimum of twenty (20) feet.
  - (b) **Separation between Dwelling Clusters.** Minimum spacing between clusters shall be determined by the number of living units that are arranged in any cluster group, as shown in the following table:

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## Article 22: Single Family Cluster Housing

NUMBER OF LIVING UNITS PER CLUSTER	MINIMUM DISTANCE BETWEEN CLUSTERS (feet)
1 Unit Cluster and a 1 Unit Cluster	10.0
1 Unit Cluster and a 2 Unit Cluster	15.0
1 Unit Cluster and a 3 Unit Cluster	20.0
1 Unit Cluster and a 4 Unit Cluster	25.0
2 Unit Cluster and a 2 Unit Cluster	20.0
2 Unit Cluster and a 3 Unit Cluster	25.0
2 Unit Cluster and a 4 Unit Cluster	30.0
3 Unit Cluster and a 3 Unit Cluster	30.0
3 Unit Cluster and a 4 Unit Cluster	40.0
4+ Unit Cluster and a 4+ Unit Cluster	40.0

- (c) Planning Commission Modifications. After review of the proposed plan and ~~the proposed~~ use of yard areas and arrangement of buildings, the Planning Commission may require additional setbacks or separation distances between buildings or clusters of buildings to ensure that the intent of this Ordinance is carried out and the public health, safety and welfare of the community is adequately served and may reduce separation distances between buildings or clusters of building where sufficient justification is presented and where the public health and safety is not compromised.
- (d) The minimum building setback in a Single Family Cluster shall be 50 feet from any perimeter property line or street setback line of the development parcel. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line. In no case shall be building setback be less than 35 feet.
- (e) Where a building in a Single Family Cluster sides to the right-of-way of a road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting the same road is zoned single family residential. In no case shall the building setback be less than 25 feet.
9. Where the proposed cluster development abuts a designated thoroughfare and/or collector road, the Planning Commission shall ensure that the treatment along said roads is compatible with existing or future single family developments in the area, and that an orderly transition occurs in one of the following manners:
- Detached single family dwellings, subject to the standards of the Schedule of Regulations for the particular zoning district.
  - Open or recreation space and associated amenities.
  - Sufficient change of topography.

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### Article 22: Single Family Cluster Housing

- (d) Buffer plantings of sufficient size, character, density and quantity to adequately provide for an orderly transition.
- (e) Mounding or berming of sufficient size, height and slope to insure proper maintenance of the area and to adequately provide for an orderly transition.
- (f) Any other proposed means the Planning Commission finds to be consistent with the spirit and intent of this Ordinance and the objectives of this Article.

#### 10. Architectural Standards

The following minimum architectural design and exterior wall finish materials standards are intended to encourage greater design variety, encourage greater variety and interest in the design of individual buildings, minimize repetition of design elements between neighboring structures, avoid design monotony within neighborhoods and prohibit the use of materials that are less permanent or are not consistent with a residential appearance.

Residential structures in a Cluster Housing development shall be subject to the following, unless otherwise determined by the Planning Commission:

- (a) Facade Materials. A minimum of ~~forty (40)~~ **sixty (60)** percent of the exterior vertical surface of the principal building façades shall be finished with brick, stone or similar decorative masonry materials approved by the Planning Commission. Variations in color shall be kept to a minimum and shall be in harmony with the surrounding area.
  - (b) Other Elements. Other architectural elements intended to increase architectural variety, interest and reduce monotony in building design may be required by the Planning Commission. Such elements may include variation of the location and design of building entries, garage door orientation, porches, window openings, roof design and pitch, building materials, etc.
  - (c) Variety in the design of individual units on each block shall be provided by the use of design details which do not appear to be continuous or repetitious. A building pattern which is repetitious throughout the project shall not be permitted.
  - (d) A minimum of 50% of residential units shall have side entry, rear entry or detached garages. Attached front facing garages shall incorporate design elements that diminish the appearance of the garage. Attached front facing garages shall be recessed a minimum of five-feet behind the front building line.
  - (e) Planning Commission Modifications. The Commission shall have the authority to vary the specific requirements of this subsection upon determination that alternative designs, materials or other architectural elements would be in accordance with the Purpose and Eligibility Principles sections of this Article.
11. Covenants and Restrictions or Master Deed: Architectural standards required as conditions of Cluster Housing development approval shall be included in the covenants and restrictions and/or master deed of the development.

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12. Open spaces shall include all-weather pedestrian paths to permit convenient access for residents. Access easements connecting local streets within the cluster development to open spaces shall have a minimum width of ten (10) feet.

#### SEC. 22.11 PERMITTED DENSITIES

The area used in computing overall density shall be the gross site area including any dedicatable interior right-of-way less than eighty-six (86) feet in width and twenty-five percent (25%) of the water area of water located wholly within the boundaries of the parcel. Permitted dwelling unit density shall be further subject to the following:

##### 1. Planning Commission Modifications

The Planning Commission may vary the ~~percentage of water area to be used in the density calculation~~ overall gross density of up to 25 percent when a developer conveys land for open space, recreation, or other purposes that is accessible to the public, upon determination that such an increase would be within the spirit and intent of the Cluster Option as established in the Purpose Section and the overall ~~projection~~ project would be in harmony with the existing and proposed land patterns of adjacent properties and the general planning area.

The following gross densities may be permitted, subject to modification:

ZONING DISTRICT	MAXIMUM NUMBER OF DWELLING UNITS PER ACRE
R-1-E	0.86
R-1-H	1.70
R-1-S	3.05
R-1	5.00
R-2	9.40

Exemplary Projects. An additional density bonus, greater than 25 percent, may be considered by the Planning Commission for exemplary projects. To qualify, the proposed development must provide a recognizable and substantial benefit to the residents of the community and overall quality of life in the Township through site design in excess of the requirements of this Ordinance, such as extensive landscaping, unique site features, preservation of woodlands / natural features, creation of recreation amenities, and buffering. Not less than 25 percent of the site shall be conveyed as common open space, exclusive of, right-of-way, lots and streets.

Density Impact. The proposed type and density of use shall not result in an unreasonable increase in the need for or impact to public services, facilities, roads, and utilities in relation to the use or uses otherwise permitted by this Ordinance, and shall not place an unreasonable impact to the subject and/or surrounding land and/or property owners and occupants and/or the natural environment. The Planning Commission may require that the applicant prepare an Impact Statement documenting the significance of any environmental, traffic or socio-economic impact resulting from the proposed open space community. An unreasonable impact shall be considered an unacceptable significant adverse effect on the quality of the surrounding community and the natural environment in comparison to the impacts associated with conventional development. Should impacts be identified, a mitigation plan is required.

## **Charter Township of Plymouth Zoning Ordinance No. 99**

### **Article 22: Single Family Cluster Housing**

#### **2. Exclusions**

The following shall be excluded from the area used in computing overall density:

- (a) Dedicated or dedicatable interior and exterior right-of-way equal to eighty-six (86) feet in width or greater. This shall be determined by the established street setback lines, in the case of existing streets.
- (b) Water area which is not wholly within the boundaries of the parcel to be developed.

#### **SEC. 22.12 AMENDMENT, TERMINATION AND REVOCATION**

Approval of the Final Development Plan, final plat, or final condominium site plan by the Planning Commission, and subsequent final approval by the Township Board of the Cluster Housing Option Contract, signifies the completion of the Cluster Housing development application process. The applicant shall comply with all conditions and requirements of the approved Cluster Housing Option contract and final site plan or final condominium site plan, which shall remain unchanged except upon the mutual consent of the Township and the landowner.

##### **1. Compliance Required**

Once an area has been included within the Final Development Plan, final plat, or final condominium site plan approved for a Cluster Housing Development, no development may take place in such area nor may any use thereof be made except in accordance with said plan, or in accordance with a Board approved amendment thereto, unless the plan is terminated as provided herein.

##### **2. Amendment**

An approved Cluster Housing contract and Final Development Plan, final plat, or final condominium site plan may be amended in the same manner provided in this Article for approval of the ~~original~~ Final Development Plan and Contract, **excluding scope of work which is permitted by Section 29.4: Administrative Review.**

##### **3. Termination**

An approved CHO Contract and Final Development Plan, final plat, or final condominium site plan for a Cluster Development may be terminated by the applicant prior to any development within the Cluster Housing Development involved by filing with the Township Clerk and recording in the Wayne County Records an affidavit so stating. The approval of the CHO Contract and Final Development Plan, final plat, or final condominium site plan for the Cluster Housing Development shall terminate upon said recording. No approved CHO Contract and Final Development Plan, final plat, or final condominium site plan shall be terminated after any development commences, except with the approval of the Township Board and of all parties of interest in the land, except as outlined below.

##### **4. Revocation**

A Cluster Housing Option approval may be revoked by the Township Board in any case where the conditions of such approval have not been or are not being complied with. If it is determined that the conditions of the approval are not being met, the Chief Building Official shall issue an immediate stop work order and communicate in writing his actions to the applicant and to the



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Township Board with reason therefore. The Township Board shall give the applicant notice of its intention to revoke such approval at least ten (10) days prior to review of said approval by the Board. After conclusion of such review the Township Board may revoke such approval if it finds that a violation in fact exists and has not been remedied prior to such hearing.