

# PRELIMINARY DRAFT ZONING ORDINANCE FOR PUBLIC FORUM

## TUESDAY, JUNE 13, 2023

### CHAPTER 8 RESIDENTIAL PLANNED UNIT DEVELOPMENT (R-PUD)

**Special Land Use.** A residential planned unit development (R-PUD) may be considered for approval by the Planning Commission in any residential district as a special land use.

**Purpose.** The residential planned unit development (R-PUD) is intended to allow innovation in the site planning and home building process. A detailed list of purposes include:

1. To allow more efficient design models that reduce infrastructure and paved surfaces.
2. To maximize density without the appearance or feel of the density achieved.
3. To reduce or eliminate monotony.
4. To increase pedestrian connectivity.
5. To showcase the proposed development better from existing public streets and arterials.
6. To increase the efficiency of street pattern which will reduce both time and energy while driving within the site.
7. To increase safety by separating vehicular and pedestrian use as much as practical.
8. To create zoning transitions that enhance the value of the development and are more socially responsible.
9. To encourage designs that take into consideration the positioning of main living spaces within the home or unit with adjacent views which enhance livability and value.
10. To screen parked cars from view as much as practical.
11. To size street and pedestrian system appropriate to the amount of traffic projected.
12. To create potential for the reduction in the cost of homes.

**Eligibility.** To be eligible to apply for a residential planned unit development the proposed project must be in a residential district on a site of at least 2 acres and demonstrate that it meets the three primary goals relating to the Environment, Existence, and Economics describe below. The project site must be either in one ownership or the subject of an application filed jointly by the owners of all property involved.

**Environment:** Encourage more efficient patterns of development that reduce infrastructure (hard surface area) while increasing useable pervious (organic) surface area. Reduce energy use and time in transit for vehicular traffic and provide a development that encourages a stroll or bike use vs. a drive. Encourage construction standards that are sized for the volume of use (pedestrian or vehicular traffic) and encourage multi-use structures (shared parking lots as an example) when possible. Encourage designs that work with existing contours of the development site and that create design features around any existing wetland areas.

**Existence:** Enhance the living standards for all residents at all income levels, providing an elevated sense of self-worth (i.e. improved sense of existence). All residents should feel an elevated sense of being in someplace special better than as if the development was built to regulatory minimums. Housing units should be more than a box, using architectural features such as gables, building offsets, and personalized entrances.

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**Economics:** Develop a community that preserves value of property over a long period of time through design standards. Provide efficient infrastructure that significantly reduces long term financial burden on the community without sacrificing any of the above values. Encourage better construction standards than minimum 'code'. Create neighborhoods with better marketability, security, and value compared to developments built to conventional standards. Reduce or eliminate monotony while increasing 'curb appeal'.

### **Permitted uses.**

No structure or part thereof shall be erected, altered, or used, and no land shall be used except for one or more of the following:

#### *Residential uses permitted :*

Single-family detached dwellings;

Attached single-family dwellings (up to six units);

Apartment buildings;

State licensed residential facilities;

Condominiums;

Accessory Uses in support of the development (such as leasing office, community room, health facility, playground, swimming pool, or daycare etc). Accessory uses must be primarily for the use of the residents of the planned unit development;

Any combination of the permitted uses in this subsection.

### **Design Requirements.**

#### **General Design Requirements**

*Residential Density.* Gross residential density of up to 12 units per acre may be considered in any single-family district, and up to 18 units per acre in any multiple-family district.

*Reduction of lot area and lot width.* The Planning Commission may reduce the minimum lot area or lot width of the underlying zoning district by up to 40 percent.

*Reduction to building setbacks.* The Planning Commission may reduce or increase the minimum required building setbacks of the underlying zoning district by up to 20 percent.

*Utilities.* Public water, sanitary sewer and storm drainage facilities shall be provided as part of the site development. All public utility transmission lines shall be placed underground. All sewer and water installations and use shall be approved by the city utilities director. Availability and timing of installation of private utilities (natural gas, electricity, telephone, cable etc) shall be the responsibility of the developer.

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*Open Space.* Within every R-PUD there shall be planned and set aside permanently as part of the total development an amount of common open space equal to or greater than the accumulation of lot size reduction below that which is required by the underlying zoning districts or 10 percent whichever is greater.

*Streets.* All streets shall meet the following design guidelines and be approved by the city's engineer:

- Be consistent with the master street plan as contained in the city's master plan.
- Prioritize creating a grid network of streets.
- Prioritize extending streets from adjacent developments which extend to the shared property line.
- Avoid create using a maze-like confusing pattern

All streets shall meet the city's standards for public and private streets. The Planning Commission may reduce a required street width if approved by the city engineer and fire department.

### *Avoiding Monotony in Design*

Longer streets within a grid pattern may be straight but are encouraged to be slightly curved using large radii that varies less than 15 feet side to side.

Front yard housing setbacks on longer straight or slightly curved streets shall be varied. A minimum stagger distance of six feet is required and no more than three homes in a row shall be at the same setback.

Coving is strongly encouraged for single-family home development. Coving is a coordinated method of design that meanders front setbacks in a pattern separate from the direction or curvature of the street. It can be used in a straight grid pattern, however it is more efficient with slightly curved streets. Coving can provide greater value and architectural design options without increasing development cost.

### **Encroachments.**

The ordinary projections of sills, eaves, cornices and ornamental features may extend to a distance not to exceed 12 inches into a required yard.

Fire escapes, outside stairways and balconies, and the ordinary projections of chimneys and flues into a required yard, may be permitted by the Planning Commission for a distance not to exceed five feet when these are so placed as not to obstruct light and ventilation.

A front porch may encroach up to 6 feet within the required front yard. A front porch may not be enclosed but may have a roof.

### **Front Yard Landscaping**

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In a residential planned unit development, no fence, structure or planting shall be permitted in the front yard to define the side lot lines. Small trunk trees or vegetation may occupy this area provided that the foliage is continuously trimmed a minimum of five feet above street grade. No plantings shall be permitted to obscure space or views along the streetscape

### **Open Space**

A minimum of 10% of the land area must be provided in open space. The open space must have a use and not simply a mathematical leftover from a geometrical problem of the design process.

Each neighborhood may have a community facility including a community room, pool, changing rooms, rest rooms, playground and picnic areas economically appropriate to the number of units proposed.

The open space must be coordinated with the pedestrian connectivity through the neighborhood providing a cohesive pattern that allows easy stroll through the neighborhood while interconnecting with any main trail systems within Cadillac.

Open space areas should be connected by a main trail and/or internal walks and distributed to be reasonably convenient and accessible to the majority of units within a neighborhood, and not simply in one area unless the neighborhood is small enough to accomplish these goals with a singular central open space.

If detention ponding is required, or there is an existing pond, 75% of the pond area (taken at maximum top of water level) can be used towards the open space requirement.

### **Parking**

Parking shall be provided in accordance with the article on parking in this ordinance.

### **Sidewalks and Pedestrian Ways**

Walks within a neighborhood shall be required on one side of a street right-of-way.

Walks must be designed to interconnect the neighbors with as few conflicts to vehicular traffic as possible and must have at least one connection to an adjacent Cadillac main trail or sidewalk system where available and any designated open space area.

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Pedestrian Ways shall be in a 15' wide minimum open space area. A pedestrian way is a walk within a defined easement or right-of-way that serves as an interlink through a block or neighborhood that can be constructed to handle emergency vehicle access if desired.

Sidewalks and Pedestrian Ways shall be constructed with concrete and be a minimum of 5 feet in width.

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### **Application procedure and approval process.**

*General.* Whenever any R-PUD is proposed, before any building permit is granted, the developer shall apply for and secure approval of a special land in accordance with the procedures of this section and obtain approval of a final site plan from the planning commission.

A developer has the option of either submitting a sketch plan and then a final site plan or submitting initially a final site plan.

*Application for sketch plan approval.* So that the planning commission and the developer can reach an understanding of what is being proposed, and what is required, the developer shall submit a R-PUD application and sketch site plan and related project information to the planning commission. The sketch site plan shall be drawn to scale, fully dimensioned, and shall clearly show the following information:

Boundaries and size of property;

Location, size and height of all buildings and building facades;

Interior roadway system including parking facilities, proposed and existing rights-of-way, loading and unloading areas, curb cuts to public roads, and adjacent streets;

The interior open space system with details on the size and use of the space, ownership status at R-PUD completion, and method of maintaining same;

The overall stormwater drainage system;

Sidewalk and pathways;

Principal ties to the neighborhood and community with respect to transportation, water supply and sewage disposal;

Delineation of the various residential and nonresidential areas and uses, including size, location and number of housing units and other buildings;

Construction phases and construction schedule;

Existing natural features and proposed landscaping;

Topography, existing and proposed (contour intervals of no greater than five feet);

Location, size and function of proposed signs.

In addition to the sketch plan, the applicant shall submit copies of other information, which may be required by provisions of the R-PUD regulations.

*Public hearing.* The planning commission shall hold at least one public hearing on any application for a R-PUD in accordance with the provisions of this chapter.

*Following the public hearing.* The planning commission shall, within 60 days, approve or disapprove the sketch plan or make modification thereto and so notify the applicant of its decision.

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*Approval of sketch plan.* The sketch plan shall not constitute approval of the detailed site plan, but shall be deemed an expression of approval of the layout as a guide to the preparation of the detailed plan. The planning commission shall find that compliance with the following standards has been met before approving any sketch plan:

The R-PUD is located in an appropriate underlying zoning district;

The R-PUD meets all of the eligibility requirements

The R-PUD site and proposed uses shall be served by necessary public infrastructure including roadways and utilities and that said infrastructure is appropriately sized and arranged to accommodate the requirements of the R-PUD while avoiding negative impacts on the infrastructure to which it will connect;

The R-PUD site, proposed uses and related development shall comply with all density and other PUD design standards;

The R-PUD shall be compatible with the adjacent area;

That facilities and uses such as parking, loading and unloading areas, dumpster locations, active play areas and other facilities and uses that may pose compatibility problems with adjacent residential development shall either be located internal to the R-PUD site or appropriately buffered through landscaping and fencing;

That proposed parking and vehicular and pedestrian circulation, including points of ingress and egress, are properly sized and located;

The R-PUD site features including, but not limited to, walkways, exterior lighting, play areas, common areas, building entry points, garage and storage areas, landscaping and signs have been appropriately designed and arranged to compliment the principle R-PUD buildings and uses;

The R-PUD is consistent with the city's long range comprehensive plan.

Approval of the sketch plan warrants to the applicant certification that the proposed R-PUD is appropriate for the planned location and consistent with basic R-PUD site development and design standards as required for sketch site plan approval.

*Request for changes in plan.* If major changes are required after the sketch plan has been approved the sketch plan must be resubmitted as originally submitted. If there are only minor changes needed after the sketch plan has been approved they may be addressed in the submittal of the final site plan. The zoning administrator shall have the authority to determine what constitutes major or minor changes.

*Application for detailed site plan approval.* After receiving approval of a sketch plan from the planning commission, the applicant shall, within one year, prepare his detailed site plan and submit it to the planning commission. If the developer wishes to forego the sketch plan approval process and start with a final plan they may do so, however a public hearing will have to be held by the Planning Commission and the final site plan shall also include all the required submittal requirements for the sketch plan. The final site plan shall be considered a construction design document and, in addition to the information provided on the sketch plan, contain sufficient design information to determine compliance with applicable city codes and construction requirements including, but not limited to, the following systems:

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Roads/streets and site access, including location and geometrics;

Public water;

Public sewers (sanitary and storm);

Storm water design (including calculations)

Snow storage;

Emergency access routes;

Fire hydrant locations;

Exterior lighting

Energy and communication facilities, including type and location;

Location and size of public and private easements;

Exterior signs, including size and location;

Parking, loading and unloading, and vehicular and pedestrian circulation;

Detailed landscape plan, including all buffers;

Waste disposal; and

Other information determined by the planning commission, after consultation with city staff, necessary for determination of compliance with city codes and ordinances.

Within 60 days of receipt of the information in this subsection, the planning commission shall approve, approve with conditions, or deny the final site plan.

In making a determination of approval, the planning commission shall find that the site plan is in compliance with all the requirements of this article.

*Action on detailed site plan.* The planning commission shall render its approval, disapproval, or approval with conditions or modifications and so notify the applicant and the building inspector.

*Revocation.* In any case where construction on the R-PUD has not commenced within one year from the date of final planning commission approval, the special exception use permit shall be null and void.

*Effect of approval.* After a final site plan has been approved and construction of any part thereof commenced, no other type of development will be permitted on the site without further approval thereof by the planning commission after proceedings conducted as in the original application. This limitation shall apply to successive owners.

*Bond requirement.* A performance bond, bank letter of credit or other surety acceptable to the city conditioned upon construction and development in accordance with the approved plans may be required by the planning commission to be filed with the city finance director at the time of application of a building permit in such amounts and for such periods as in the discretion of said board appears adequate to ensure compliance with the approved plans.

*Agreement.* Prior to the commencement of construction on any project permitted under this chapter, the owner shall enter into an agreement with the city, which shall provide such safeguards and guarantees as may be required by the city. Said contract shall consist of the approved final site plan,



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conditions which may have been attached to the R-PUD approval, bond requirements, necessary building and other required permits, and payment of all fees.