



RESIDENTIAL OPEN SPACE APPLICATION

5371 S. SAGINAW ST. GRAND BLANC, MI 48507 (810) 424-2791

Website: www.grandblancwpmi.gov Email: PZ@grandblancwpmi.gov

Taxes must be paid in full before processing the application. The initial review will require complete application/checklist, check for fees, one (1) copy of physical plans and digital plans. Please note: Additional physical copies of the site plan will be required.

Date: _____

ROS# _____

Name of Development: _____
Description and Type of Development: _____
Location of Development: _____
PID # _____

TO BE COMPLETED BY APPLICANT (please type or print)

Name of Sponsor of Development: _____

Contact person: _____ Company Name: _____

Address: _____

City: _____ Zip: _____

Telephone: _____ Email: _____

Signature: _____

Applicant hereby consents to allow Township representatives access to property.

**MUST INCLUDE A REPORT OF ALL PARAMETERS FOR THE ROS INCLUDING
REDUCTIONS OR ADDITIONS TO THE BASE ZONING.**

Engineer

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Email: _____

Architect

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Email: _____

EXAMPLE
Residential Open Space Application
Supporting Information

INTENT

Our intent is by using the ROS option we can promote the preservation and protection of natural features, significant wildlife habitats, sensitive environments and scenic vistas.

ESTABLISHMENT OF OVERLAY

We are requesting the Planning Commission to consider approval of the ROS development option with the underlying zoning of R-3.

DEFINITIONS

- Adjusted Parcel Acreage = 35.81 Ac
- Density = 65 lots (previously approved)
- Gross Parcel Acreage = 48.64 Ac
- Open Space Preservation Area = 14.59 Ac
- ROS Development – We have clustered the homes to separate from adjacent properties and protect open space.
- Primary Conservation Area = 3.01 Ac (100% protected)
- Secondary Conservation Area = 15.76 Ac (woodlands protected)

ELIGIBILITY CRITERIA

- Recognizable Benefits - Preservation of 100% of the Primary Conservation Area
- Open Space – Option A requires 14.59 Ac of open space and we are providing 26.69 Ac
- Unified Control – The property is under single ownership.
- Protection from Development in Perpetuity – Open Space will be put into a conservation easement to be protected in perpetuity.
- Cohesive Neighborhood – The project is designed with homes clustered with all having access to open space.
- Density Impact – We are matching density of approved plans.
- Township Master Plan – We are following the Master Plan.
- Compliance with Applicable Regulations - We will be in compliance with all applicable regulations.

REGULATORY FLEXIBILITY

We are requesting flexibility and creativity consistent with the open space community concept. The underlying zoning is R-3 that requires 80' wide lots with 12,000 sf of area with front setbacks of 30', rear setbacks of 35' and side setbacks of total 16'. We are proposing 60' wide lots with 7,800 sf of area with matching setbacks to that of the required R-3 zoning. The flexibility allows us to cluster our homes to protect wetlands, woodlands, wildlife habitats and existing waterways.

DENSITY BONUS

We are not requesting a Density Bonus of 20% (which would allow 13 more lots).

3.1.20 ROS Residential Open Space Development Option

A. INTENT

The purpose of the Residential Open Space Development Option is to maintain the rural, natural and scenic qualities of the Township. Toward this end, all residential open space developments shall be designed to promote the preservation and protection of natural features, significant wildlife habitats, sensitive environments and scenic vistas. The provisions set forth in this Section encourage innovative and livable residential neighborhoods through permanent preservation of open space.

Increasing suburban development of rural areas has produced a need for more environmentally sensitive and cost efficient residential development. The Residential Open Space Development Option meets this need as dwelling units are grouped or clustered onto part of the parcel so the remaining area can be permanently preserved as open space.

The intent of this Section is to offer an alternative to traditional residential developments and subdivisions that results in an enhanced living environment through the permanent preservation of open and rural landscapes through the use of planned unit development legislation, as authorized by Section 503 of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, (M.C.L. 125.3101 et seq.) for the purpose of:

- i. Encouraging the use of land in accordance with the Township's character;
- ii. Providing more environmentally sensitive residential developments by assuring the permanent preservation of open space, woodlands, wetlands, natural topography and other natural resources;
- iii. Preserving the rural landscape and protecting environmentally sensitive lands from the disruptive effects of traditional subdivision development;
- iv. Providing open spaces and/or recreational facilities within a reasonable distance of all residents of open space communities;
- v. Encouraging the provision of open space of a reasonable size to provide a more efficient and aesthetic use of such open space;
- vi. Help promote long term preservation of wetlands by promoting ownership by an association rather than individual lot owner;
- vii. Allowing innovation and greater flexibility in the design of residential developments by

permitting modifications to dimensional requirements of the Zoning Ordinance;

- viii. Facilitating the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner;
- ix. Ensuring compatibility of design and use between neighboring properties and a generally consistent density with that permitted in the underlying zoning district; and,
- x. Encouraging a less sprawling form of development, thus permanently preserving open space as undeveloped land.

These overlay development regulations are intended to provide flexibility in certain Zoning Ordinance requirements to preserve natural features and open space which might be lost through more traditional subdivision development in the R-1, R-2 and R-3 Single Family Residential Districts or in other residential zoning districts in which the Planning Commission determines open space conservation is a primary consideration. These standards are not intended as a device for ignoring or circumventing the Zoning or Subdivision Regulations of the Township, the standards set forth therein, nor the planning concepts upon which the Zoning Ordinance has been based. These standards are intended to result in a specific development substantially consistent with Zoning Ordinance standards, yet allow for modifications from the general standards to insure appropriate and consistent decision making.

B. ESTABLISHMENT OF OVERLAY

The ROS development option is established as an overlay with the underlying zoning remaining in place, and shall be available by right for condominium developments, platted subdivisions, and land divisions in all single-family residential districts, or in other residential zoning districts in which the Planning Commission determines open space conservation is a primary consideration. Development permitted under this Section shall be considered as the preferred option to the development otherwise permitted in the applicable zoning districts, and shall be mutually agreeable to both the applicant / developer and the Township. Any person with a legal interest in an eligible parcel or lot may apply for the ROS development option by filing the completed applications as outlined in Section 3.1.20.H. The Planning Commission shall have the power to approve an ROS development.

C. DEFINITIONS

For the purposes of the ROS District, the terms enumerated in this Section shall be defined as follows:

- i. **Adjusted Parcel Acreage.** Net parcel area after the acreage of all primary conservation areas, all proposed public rights-of-way, all areas within overhead utility line easements, and all proposed storm water management ponds on the parcel have been deducted from the gross parcel acreage.
- ii. **Density.** See Section 2.2.91.
- iii. **Gross Parcel Acreage.** The total horizontal area within the lot lines of the lot excluding existing rights-of-way and access easements.
- iv. **Open Space Preservation Area.** Any undeveloped land area within the boundaries of the parcel within an open space residential development, which is designed and intended to permanently conserve environmental features for the common use or enjoyment of the residents of the development or the public or dedicated to an agricultural use. Such open space may contain accessory structures and improvements appropriate for recreational purposes, as provided by ordinance, such as recreational trails, picnic areas, children's play area, greenways or linear parks. The following are not considered open space by this definition: golf courses, the area of any street right-of-way proposed to be dedicated to the public, access easements for private roads or underground or overhead utilities, the required setbacks surrounding an existing residential structure that is located on an individual lot or condominium site, limited common areas, and parking and loading areas.
- v. **Open Space Community or ROS Development.** A predominately residential development in which dwelling units are placed together into one or more groups or clusters within a defined project area, where the dwelling units are separated from adjacent properties or other groups or clusters of dwellings by substantial open space that is perpetually protected from development, whereby the preservation of primary and secondary conservation areas is emphasized as the basis for grouping or clustering dwelling units.
- vi. **Primary Conservation Area.** Sensitive environmental features, land or lands that are deducted from the gross parcel acreage to produce the adjusted parcel acreage. Lands to

be deducted include seventy-five percent (75%) of the area of wetlands protected by Michigan Public Act 451 of 1994, as amended, and one hundred percent (100%) of the area of water bodies and inundated lands (lakes, ponds, streams, drains) and lands within a 100-year floodplain.

- vii. **Secondary Conservation Area.** Natural or cultural features including, but not limited to, wetlands outside of primary conservation areas, mature woodlands, individual trees over eight (8) inch diameter (measured at breast height), natural drainage ways, rolling topography and slopes exceeding ten percent (10%) grade, aquifer recharge areas, wildlife habitat areas, historic sites, prime farmland, and/or scenic views or vistas from public rights-of-way designated for conservation. Secondary conservation areas shall be guided by the maps and policies of the natural features, open space or recreation elements of the Township Master Plan.

D. ELIGIBILITY CRITERIA

In selecting the Open Space Overlay Option, the applicant must present a proposal for residential development that meets each of the following:

- i. **Recognizable Benefits.** An open space community shall result in a recognizable and substantial benefit, both to the residents of the property and to the overall quality of life in the Township. The benefits can be provided through site design elements in excess of the requirements of the Zoning Ordinance. Such elements may include the following: preservation of primary and secondary conservation areas; preservation of open space along major thoroughfares; buffering developments from lakes, rivers, streams and wetlands; high quality architectural design; extensive landscaping; transition areas from adjacent residential land uses; unique site design features; and unified access. This benefit should accrue, in spite of any foreseeable detriments of the proposed development.
- ii. **Open Space.** To be eligible for Open Space Overlay Option, the proposed development shall comply with either Option A or Option B of this Sub-Section:
 - a. **Option A.** The Open Space Preservation Areas contain one hundred percent (100%)

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of all Primary Conservation Areas and a minimum of fifty percent (50%) of the gross parcel acreage.

- b. **Option B.** The Open Space Preservation Areas contain one hundred percent (100%) of all Primary Conservation Areas and a minimum of thirty percent (30%) of the adjusted parcel acreage.
- iii. **Unified Control.** The proposed development shall be under single ownership or control, such that there is a single person or entity having proprietary responsibility for the full completion of the project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions that indicate that the development will be completed in its entirety as proposed.
- iv. **Protection from Development in Perpetuity.** The applicant shall guarantee to the satisfaction of the Township and the Planning Commission that all Open Space Preservation Areas will remain perpetually in an undeveloped state, as required in Section 3.1.20.G.viii). Further subdivision of open space lands, or their use for other than recreation, conservation or agriculture shall be prohibited.
- v. **Cohesive Neighborhood.** The proposed development shall be designed to create a cohesive neighborhood through common open space areas for passive and/or active recreation and resident interaction. All open space areas shall be equally available to all residents of the residential open space development.
- vi. **Density Impact.** The proposed type and density of use shall not result in an unreasonable increase in the need for or impact upon public services, facilities, roads, and utilities in relation to the use or uses otherwise permitted by this Zoning Ordinance, and shall not place an unreasonable impact upon the subject site and surrounding land, surrounding property owners and occupants, and/or the natural environment.
- vii. **Township Master Plan.** The proposed development shall be consistent with and further the implementation of the Grand Blanc Charter Township Master Plan (Public Act 168 of 1959, as amended), and any subsequent amendments thereto.
- viii. **Compliance with Applicable Regulations.** The

proposed open space community shall comply with all applicable Federal, State, and local regulations.

E. REGULATORY FLEXIBILITY

To encourage flexibility and creativity consistent with the open space community concept, the Planning Commission may grant specific departures from the requirements of the Zoning Ordinance for minimum yard setbacks, lot size, and bulk standards as a part of the approval process, provided that such modification results in enhanced buffering from adjacent land uses or public rights-of-ways, or further preservation of natural features.

Any regulatory modification shall be approved through a finding by the Planning Commission that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards. Regulatory modifications are not subject to variance approval of the Zoning Board of Appeals. No part of an open space community plan may be appealed to the Zoning Board of Appeals. Any deviation of an approved plan shall require approval from the Planning and Zoning Department or the Planning Commission, as specified in Section 3.1.20.J. This provision shall not preclude an individual lot or dwelling unit owner from seeking a variance following final approval of the open space community, provided such variance does not involve alterations to open space areas as shown on the approved open space community site plan.

F. DENSITY BONUS

The Planning Commission may allow an exemplary residential open space development to include an optional density bonus. In order to qualify for an optional density bonus, the applicant must demonstrate, to the satisfaction of the Planning Commission, that the proposed project exceeds the minimum standards for residential open space development eligibility under this Section.

Density Bonus. A variable density bonus of up to twenty percent (20%) may be allowed at the discretion of the Planning Commission, based upon a finding that the open space community includes all of the following:

- i. The residential open space development is a minimum of five (5) gross acres of contiguous land. The Planning Commission may also consider a density bonus for residential open space developments smaller than five (5)

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acres, depending on the individual merits of the project.

- ii. The undivided parcel depth does not exceed four (4) times the width of the parcel and has a minimum frontage of two hundred fifty (250) feet.
- iii. Preservation of all secondary conservation areas contained within the site as Open Space Preservation Areas.
- iv. A minimum of fifty percent (50%) of the lots abut Open Space Preservation Areas.
- v. Provision of perimeter transition areas around all sides of the development that are at least fifty (50) feet in depth.
- vi. Provision of unique recreational facilities, more extensive landscaping than required, or significant bicycle / pedestrian paths, or unique open space of recognizable benefit to the Township.
- vii. A minimum of fifty percent (50%) of the Open Space Preservation Area(s) shall be maintained in a natural, undisturbed or revegetated state.
- viii. High quality architecture and site design. Buildings shall provide harmony with adjacent uses in terms of texture, materials, peaked roof lines and massing. Residential facades shall not be dominated by garages; all residential units shall have side entry garages or recessed garages where the front of the garage is at least five (5) feet behind the front line of the living portion of the principal dwelling.
- ix. Other recognizable benefits to the Township which may include the cleanup of site contamination to residential standards as required by the Michigan Department of Environmental Quality.

G. PROJECT DESIGN STANDARDS

A proposed open space community shall be reviewed and approved in accordance with the Site Plan Review procedures in Section 6.2 and must comply with the following project design standards:

- i. **Project Design Objectives.** The open space community shall be designed to accomplish the following objectives:
 - a. Protect, preserve, and maintain primary and secondary conservation areas from clearing, grading, filling, or construction except where planned for essential services or recreation amenities.
- ii. **Location.** An open space community may be approved upon any land zoned R1, R2 or R3 in the Township or in other residential zoning districts in which the Planning Commission determines open space conservation is a primary consideration.

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- iii. **Permitted Uses.** Single family detached residential dwelling units are permitted. Accessory uses and buildings incidental to the principal permitted uses are allowed. Accessory uses may include recreational activities which are passive and occur on common open space areas only.
- iv. **Base Zoning Regulations.** Consistent with the intent and procedures of this Section, modifications to the dimensional requirements of the Zoning Ordinance may be granted upon a specific request for such modifications by an applicant. Unless specifically modified by the Planning Commission, the balance of all Zoning Ordinance requirements for the underlying zoning district, and other Township regulations shall remain in full force.
- v. **Water and Sewer Service.** All open space communities shall connect to the public water and sanitary sewer systems as required by Grand Blanc Charter Township Ordinances #11-16-68 and #1-1-80-C.
- vi. **Open Space Requirements.** All Open Space Preservation Areas shall meet the following provisions:
 - a. Grading in the open space shall be minimal, with the intent to preserve existing topography where practical.
 - b. Stormwater management ponds may be included and/or constructed within the open space area.
 - c. Allowable Structures: Any structure(s) or building(s) accessory to a recreation, conservation or agriculture use, excluding parking lots, may be erected within the open space, subject to approval by the Planning Commission.
- vii. **Open Space Location.** The location of the Open Space Preservation Areas shall meet the following standards to the greatest extent feasible:
 - a. The open space is provided along the public street right-of-way to provide additional buffering from the traffic and enhance views from the roadway provided the open space along such right-of-way shall generally have a depth of at least fifty (50) feet. The open space along a right-of-way shall be either preserved in a natural wooded condition, landscaped, or a combination of preserved and newly planted landscaping. The open space shall have a minimum of one (1) evergreen tree and one (1) canopy tree for each forty (40) linear feet of road frontage. Such plantings shall be planted in staggered rows or clustered into groupings to provide a natural appearance. Preservation of existing trees may be credited, according to the standards in Section 5.10.8 of the Grand Blanc Charter Township Zoning Ordinance, towards meeting the requirement for number of trees listed in this Sub-Section;
 - b. The open space provides an ecological link to permanent open space in surrounding lands and is located to connect open spaces, public parks, or bicycle /pedestrian paths throughout the community;
 - c. The open space is designed and located to be centrally positioned or in close proximity to all or most of the dwelling units;
 - d. Open Space Preservation Areas include sensitive environmental features, natural features, and animal and plant habitats of significant value and are adequately protected.
 - e. Any Open Space Preservation Area fronting a street shall not have street frontage less than the lot width required for the underlying zoning district. At no time shall the distance between residential parcels separated by open space be less than the lot width for the underlying zoning district.
- viii. **Guarantee of Open Spaces.** The Open Space Preservation Areas shall be set aside by the developer through an irrevocable conveyance that is found acceptable to the Planning Commission, such as recorded deed restrictions, covenants that run perpetually with the land, or a conservation easement established per the State of Michigan Conservation and Historic Preservation Act, Public Act 197 of 1980, as amended (M.C.L. 399.251). Such conveyance shall assure that the open space will be protected from all forms of development, except as shown on an approved site plan, and shall not be changed to another use. Such conveyance shall provide for the following:
 - a. Indicate the proposed allowable use(s) of the perpetually preserved open space. The Planning Commission may require the inclusion of open space restrictions that prohibit the following:
 - (1) Dumping or storing of any material or refuse;

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(2) Activity that may cause risk of soil erosion or threaten any living plant material;

(3) Cutting or removal of live plant material except for removal of dying or diseased vegetation;

(4) Use of motorized off-road vehicles;

(5) Cutting, filling or removal of vegetation from wetland areas; and/or

(6) Use of pesticides, herbicides or fertilizers within or adjacent to wetlands.

b. Require that the perpetually preserved open space be maintained by parties who have an ownership interest in the open space;

c. Provide standards for scheduled maintenance of the open space; and,

d. Provide for maintenance to be undertaken by the Charter Township of Grand Blanc in the event that the perpetually preserved open space is inadequately maintained, or is determined by the Township Building Official to be a public nuisance, with the assessment of costs upon the property owners.

ix. **Access.** Direct access onto a public road shall be required to a residential open space development. The nearest edge of any entrance or exit drive shall be located no closer than two hundred (200) feet from any existing street or road intersection (as measured from the nearest intersection right-of-way line). Open space communities shall also meet or exceed the access standards contained in this Zoning Ordinance or other ordinances of the Township.

x. **Internal Roads.** Internal roads within an open space community shall generally be public roads. Roads shall comply with Genesee County Road Commission standards for public roads, as applicable.

a. **Private Roads:** Private roads shall not be allowed in an Open Space Community unless the Planning Commission finds all of the following:

(1) There is no reasonable potential for the road to become public in the future.

(2) There is no demonstrated potential for the road to connect with abutting land or be extended to serve additional land in the future.

(3) The maintenance plan for the private road(s) adequately provides for continued maintenance of the roads in perpetuity and includes a means of guaranteeing maintenance assessments from the affected property owners.

If significant natural features would be preserved by a reduction in road width, the Planning Commission may reduce the required pavement width of private roads to a minimum of twenty-two (22) feet within an easement of at least fifty (50) feet.

b. **Required Landscaping.** Both sides of all internal roads shall be landscaped with street trees. For road frontages of individual lots or condominium sites, a minimum of two (2) canopy trees shall be provided per dwelling. For sections of road that do not abut lots or condominium sites, one (1) canopy tree shall be provided on each side for every fifty (50) linear feet of road. Existing trees to be preserved within five (5) feet of the road right-of-way or easement may be credited towards meeting this requirement.

xii. **Lot and Dwelling Location.** Dwelling units shall be carefully located and designed in accordance with the Grand Blanc Charter Township Master Plan in order to avoid conflicts with neighboring land uses. Dwelling placement shall be planned to screen homes from off-site vantage points, located away from primary and secondary conservation areas or sites suitable for open space, and upwind from areas subject to land management practices that will cause dust, noise, smoke, odors or similar problems. Residential lots shall be designed around both the primary and secondary conservation areas and may adjoin those areas.

xiii. **Building Setbacks and Yard Requirements.**

a. The minimum floor area required for each residence shall be equal to the minimum floor area per unit as set forth in the Schedule of Regulations for the district in which the dwellings are located.

b. Dwellings located within open fields or pastures should be sited on the least important agricultural soils, or in locations at the far edge of a field, as seen from existing public road rights-of-way. Other

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considerations may include proposed visual buffering, such as native trees or wild flowers, from public road rights-of-way.

- xiii. **Compatibility with Adjacent Uses.** The setbacks, density, height, traffic, parking, circulation, landscaping, views and other design features shall be compatible with the character of the site and surrounding properties. The proposed location of accessory uses or structures that are of a significantly different scale or character than the abutting residential districts, such as access drives, parking areas, solid waste pick-up points, swimming pools, tennis courts and facilities of a similar nature, shall not be located near the boundary of the development or so as to negatively impact the residential use of adjacent lands and the general planning area as indicated by the Grand Blanc Charter Township Master Plan.
- xiv. **Pedestrian Circulation.** The residential open space development plan shall provide safe and convenient pedestrian access to all open space areas from the following: all residential areas including lots not adjoining open space areas; connections between open space areas; public thoroughfares; open space areas, trails, or pathways on adjoining parcels; and connections between appropriate on-site and off-site uses. (Conserved farmland may be exempted from this requirement to protect crops from damage.) Accessibility shall meet barrier-free standards.

Trails within the residential open space development may be constructed of gravel, wood chips or other similar material, provided they meet applicable barrier-free standards, however the Planning Commission may require construction of eight (8) foot wide paved bicycle paths through portions of the development or along the any public right-of-way abutting the open space community. The Planning Commission may require the construction of sidewalks for open space communities on both sides on the road. Sidewalks shall only be required on one (1) side of single loaded roads.

Δ Ord. No. 654 (September 7, 2017)

H. REVIEW PROCEDURES AND APPLICATION REQUIREMENTS

- i. **Approval Process.** The request for an open space community shall follow the following procedures:
 - a. **Optional preliminary concept plan review.** The applicant may request and is encouraged to have a preliminary concept plan review with either the Planning and Zoning Department or the Site Plan Review Committee. The direction given to an applicant during a preliminary concept plan review is non-binding. The Township may require a fee for a preliminary concept plan review by the Site Plan Review Committee.
 - b. **Initial Staff Review.** The Planning and Zoning Department shall review the application and concept plan submittal for review by the Site Plan Review Committee to determine if the application is complete. If, in the opinion of the Planning and Zoning Department, the applications and exhibits are inadequate, the Planning and Zoning Department shall advise the applicant on revisions needed to comply with the requirements of this Section. The Township may engage consultants in reviewing the concept plan submittal.
 - c. **Site Plan Review Committee Review of Concept Plan.** The Site Plan Review Committee shall review all complete applications for the design of the yield plan to determine the number of dwelling units that could be feasibly constructed in compliance with all existing ordinances, laws and rules. This number, as determined by the Site Plan Review Committee, shall be the maximum number of dwelling units allowable for the open space community, unless the Planning Commission grants a density bonus in accordance with Section 3.1.20.F of this Article. The Site Plan Review Committee shall also review all complete applications for compliance with the standards of this ordinance and other appropriate ordinances and statutes, and take one of the following actions:
 - (1) table action and request the applicant revise the site plan or provide additional documentation or information; or
 - (2) make a recommendation to the Planning Commission;

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- d. A public hearing conducted by the Planning Commission; and,
- e. **Review of the Open Space application by the Planning Commission.** After the review the Planning Commission may approve the Open Space application, approve the Open Space application with conditions, table the Open Space application or deny the Open Space application if it does not meet the standards and requirements of this Article. Reasonable conditions may be required with the approval of a residential open space development, to the extent authorized by law, for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources and energy, ensuring compatibility with adjacent uses of land, promoting the use of land in a socially and economically desirable manner, and further the implementation of the Grand Blanc Charter Township Master Plan.
Conditions imposed shall be:
 - (1) Designed to protect natural resources, and the public health, safety and welfare of individuals in the project, those immediately adjacent, and the community as a whole;
 - (2) Reasonable related to the purposes affected by the open space community;
 - (3) Necessary to meet the intent and purpose of this Zoning Ordinance and implement the Township Master Plan; and
 - (4) Related to the objective of ensuring compliance with the standards of the Zoning Ordinance. All conditions imposed shall be made a part of the record of the approved open space community.
- f. Review by the Planning Commission following the standards and procedures adopted by the Township for approval of either site plans, condominiums, platted subdivisions, or land divisions, as applicable. Platted subdivisions must be approved by the Township Board as outlined in the Grand Blanc Charter

Township Subdivision Control Act. In considering any application for approval of an open space community site plan, the Planning Commission shall review the application for compliance with the standards and requirements in Sections 3.1.20.A, 3.1.20.D and 3.1.20.G of this Article.

- ii. **Application Requirements for Concept Review by the Site Plan Review Committee.** Six (6) copies of an open space concept plan shall be submitted for review by the Site Plan Review Committee. The open space concept plan shall include the following information and materials:
 - a. Completed application and payment of a non-refundable application fee. A separate escrow deposit may be required for administrative charges to review the application.
 - b. A concept plan drawn on sheets measuring not less than 24 x 36 inches and not more than 30 x 42 inches at a scale adequate to determine compliance with all standards contained in this Ordinance with a minimum scale not to exceed one inch on the concept plan for every fifty feet (1" = 50') on the ground that includes the following at a minimum:
 - (1) Name and address of the project.
 - (2) Current legal description of the parcel.
 - (3) Name, address and professional seal of the architect, engineer, surveyor or landscape architect responsible for the preparation of the plan.
 - (4) A small location sketch of sufficient size and scale to locate the property within the Township.
 - (5) Title block with the date of preparation and date(s) of any revisions.
 - (6) North arrow.
 - (7) The gross acreage, net acreage and adjusted parcel acreage of the parcel.
 - (8) The percent of open space for the gross acreage and for the adjusted parcel acreage.
 - (9) The open space option from Section 3.1.20.D.ii selected: Option A or Option B.
 - (10) Zoning and current land use(s) of applicant's property and all abutting properties including properties across

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any public or private street.

(11)Buildings, driveways, streets and structures within the subject site and within one hundred (100) feet of the property lines.

(12)The location of all existing buildings, structures, parks, trails, preserved open spaces, street names and existing right-of-way, utility poles, towers, drainage ditches, culverts, pavement, sidewalks, parking areas and driveways on the property and within one-hundred (100) feet of the subject property (including driveways on the opposite side of any street). Notes shall be provided indicating those, which will remain and those, which are to be removed or modified.

(13)All existing and proposed lot lines and dimensions, including setback lines and existing or proposed easements. The lot area and width for all lots must be provided.

(14)Number of residential units for each project phase divided by acreage exclusive of any public right-of-way or private road access easement; if a multi-phase development is proposed, identification of the areas included in each phase and a schedule for construction of phases.

(15)Existing topography based on United States Geological Service data (maximum contour interval of two feet) on the site parcels and within one hundred (100) feet beyond the site boundaries.

(16)Location of all primary and secondary conservation areas within and surrounding the proposed site within 500 feet. The applicant or the applicant's agent shall supply a written description of the natural feature(s) and the name, address, telephone number, a resume and list of experience of the applicant's agent, firm or individual preparing the determination.

(17)Existing woodlands within and surrounding the proposed site within 500 feet shown by an approximate outline of the total canopy. Individual deciduous trees over eight (8) inches in diameter at breast height (d.b.h.) and individual evergreen trees six (6) feet in height or taller, where not a part of a group of trees, accurately located and identified by species and size (d.b.h. for deciduous, height for evergreens).

(18)Soil boundaries and descriptions based on Soil Conservation Service maps.

(19)The alignment, width, pavement type, detail cross-section, and distance from street for any proposed sidewalks or pathways.

(20)The layout and dimensions of proposed streets, drives and private roads including: grades, existing or proposed right-of-way or easement and pavement width, number of lanes, typical cross-section showing surface and sub-base materials and dimensions. All roads must be clearly identified as either public or private.

(21)The location and design of access points including width, radii, provision for any deceleration or passing lanes, distance from adjacent driveways or street intersection.

(22)Existing and proposed locations of utility services (with sizes), degrees of slope of sides of retention/detention ponds; calculations for size of storm drainage facilities; location and size of wells, septic tanks and drain fields; location of manholes, catch basins and fire hydrants; location, size, and inverts for storm and sanitary sewers; all necessary public or private easements for constructing, operating, inspection, maintaining, repairing, altering, replacing and/or removing pipelines, mains, conduits and other installations of a similar character; notes shall be provided clearly indicating which existing services will remain and which will be removed.

(23)A site grading plan for all developments where grading will occur, with existing and proposed topography at a maximum of two (2) foot contour intervals and with topography extending a minimum of one hundred (100) feet beyond the

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site in all directions, and further, where required to indicate stormwater runoff into an approved drain or detention/retention pond so as to clearly indicate cut and fill required. All finished contour lines are to be connected to existing contour lines at or before the property lines. A general description and location of the stormwater management system shall be shown on the grading plan and clearly identify whether such system will be public or private.

(24) All trees to be preserved should be graphically highlighted and listed by size and species. A detail shall be provided to illustrate protection around the tree's drip line.

(25) All proposed ground cover and plant locations shall be shown and with common plant name, number, and size at installation. Berms, retaining walls or fences shall be shown with elevations from the surrounding average grade. The location, type and height of proposed fences shall be described.

c. A parallel or yield plan or design for the project that meets all of the following requirements:

- (1) Conventional lot and road layout that is consistent with State, County and Township requirements, including standards and design criteria for a tentative preliminary plat.
- (2) Meets all standards for lot size, lot width and setbacks as required for the underlying Zoning District.
- (3) Conceptual storm water detention areas are shown and calculations are provided that the areas indicated are sufficient for storm water detention.
- (4) Lots have sufficient building envelope size without impacting wetlands regulated by the Michigan Department of Environmental Quality.
- (5) Primary conservation areas are shown as excluded from the layout of conventional lots.
- (6) Any other information as required by the guidelines adopted by the Planning Commission pursuant to this Article.

iii. **Application Requirements for review by the Planning Commission.** The required materials for site plans, condominiums, platted subdivisions, or land divisions, as applicable, shall be submitted to the Township along with all required fees prior to the public hearing and review by the Planning Commission. The Planning Commission may require an impact assessment, as described in Section 6.5, for sites with significant natural features, and/or a traffic impact study according to the standards in Section 6.6 for projects with more than fifty (50) dwelling units.

iv. **Effect of Approval.** Approval of an open space community proposal shall not require, nor shall it be construed as, an amendment to the Zoning Ordinance. All improvements and uses of the site shall be in conformity with the approved open space community site plan, comply fully with any imposed conditions and comply with all other approvals under Section 6.2 of the Grand Blanc Charter Township Zoning Ordinance or the Grand Blanc Charter Township Subdivision Control Ordinance.

v. **Recording of Action.** The applicant shall record an affidavit with the Genesee County Register of Deeds containing the full legal description of the project site, specifying the date of final Township approval, and declaring that all improvements will be carried out in accordance with the approved open space community plan unless an amendment is approved by the Township. In addition, all deed restrictions and easements shall be duly filed with the Register of Deeds and copies of recorded documents presented to the Township.

vi. **Site Permit.** Following final approval of the open space community site plan and final approval of the engineering plans, a site permit shall be obtained. It shall be the responsibility of the applicant to obtain all other applicable Township, County, State or Federal permits.

vii. **Initiation of Construction.** If construction has not commenced within twelve (12) months of final approval, all Township approvals become null and void. The applicant may apply in writing to the Planning Commission prior to the expiration date for an extension, not to exceed twelve (12) months. A maximum of two (2) extensions may be allowed.

viii. **Continuing Adherence to Plan.** Any property owner who fails to maintain an approved site design shall be deemed in violation of the use provisions of the Zoning Ordinance and shall be subject to the penalties for same.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



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ROS Option (Continued)

ix. **Performance Guarantee.** The Planning Commission may require that a performance guarantee, in accordance with the terms and conditions of this Zoning Ordinance, be deposited with the Township to insure completion of improvements.

I. SCHEDULED PHASING

i. **Scheduled Phasing.** When proposed construction is to be phased, the project shall be designed in a manner that allows each phase to fully function on its own regarding services, utilities, circulation, facilities, and open space. Each phase shall contain the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the open space community and the residents of the surrounding area.

ii. **Timing of Phases.** Each phase of the project shall be commenced within twelve (12) months of the schedule set forth on the approved site plan. If construction of any phase is not commenced within the approved time period, approval of the plan shall become null and void, subject to the requirements of this Section. The applicant may apply, prior to the expiration date of a phase, to the Planning Commission in writing for an extension, not to exceed, twelve (12) months. A single extension may be allowed for each phase of a development.

J. REVISION OF APPROVED PLANS

i. **Minor Changes.**

a. Minor changes to an approved open space development project site plan may be approved by the Planning and Zoning Department. Minor changes include:

- (1) Reductions in density.
- (2) Minor realignment of roads.
- (3) Increasing the amount of open space.
- (4) Changes to landscaping, provided the number and quality of plantings is not decreased.
- (5) Change in the size of detention ponds by no more than ten percent (10%).
- (6) Changes to a phasing plan.
- (7) Other minor changes similar to the above, as determined by the Planning Commission.

b. Minor changes shall be subject to the finding of all of the following:

- (1) Such changes will not adversely affect the initial basis for granting approval;
- (2) Such changes will not adversely affect the overall open space community in light of the intent and purpose of such development as set forth in this Article; and,
- (3) Such changes shall not result in the reduction of open space area as required herein.

ii. **Major Changes.** Proposed changes to an approved plan for an open space community that do not qualify as minor under this Section may only be revised by resubmitting a revised open space community site plan for approval following the procedures set forth this Article.