

CHAPTER 9A COMMERCIAL PLANNED UNIT DEVELOPMENT

SECTION 9A.01 DESCRIPTION AND PURPOSE (effective 6/21/2005)

- A. The purpose of this Commercial Planned Unit Development Chapter is to provide a flexible mechanism for the development of commercial property through design, provision for shared parking, shared access, restrictions on uses, and other factors which will make the development compatible with the surrounding area, and a well designed and attractive and usable part of the community. This Chapter is available only for commercial development. Mixed commercial use developments which may qualify under Chapter 9 remain an option for commercial and mixed commercial development.

- B. This C-PUD device is also intended to provide a mechanism by which a comprehensive plan for layout, traffic circulation, entrances, design, and similar factors can be approved in order to provide standards for development of a commercial project in stages or by different property owners.

- C. These PUD provisions are not intended as a device for ignoring the other requirements of this ordinance. They are intended to result in land development substantially consistent with the underlying commercial zoning, except as otherwise noted.

- D. A commercial Planned Unit Development is referred to in this Chapter as a “C-PUD”.

SECTION 9A.02 QUALIFYING CONDITIONS

- A. The property proposed under this Chapter shall be in a LC-Light Commercial or C-General Commercial District. An application for rezoning to such a district may be considered in conjunction with an application for C-PUD.

- B. The site proposed for the C-PUD shall consist of a minimum of two acres, unless the Township finds:
 - 1. That the property is isolated from other commercial uses by streets, natural features, or distinct property ownership; and

 - 2. Consideration of the project as a C-PUD would promote the purposes of this Chapter.

SECTION 9A.03 REVIEW PROCEDURES

- A. The application materials and procedures and rules for approval and amendment shall be the same as provided for Chapter 9, except as provided below.
- B. The development plan shall contain the features and information needed to demonstrate compliance with this Chapter.
- C. The Township may request additional information necessary to address the standards for approval under this Chapter, and may waive information if not useful toward the Township’s review and decision.
- D. A “parallel plan” is not required.

SECTION 9A.04 PERMITTED USES

- A. The uses permitted in the underlying LC or C Zoning District by right or with special land use approval shall be eligible to be included within a C-PUD. Uses listed as permitted only with special land use approval shall satisfy the express minimum standards set forth for that special land use, unless the Township determines that the PUD is designed to provide equivalent or better design or development features than provided for that special land use.
- B. In order to promote compatibility with the existing or future neighboring development, a C-PUD may specify and restrict permitted uses. The C-PUD approval may also require additional site plan review or special land use approval for future development parcels.

SECTION 9A.05 SITE DEVELOPMENT REQUIREMENTS

A C-PUD shall, at a minimum, satisfy the following standards:

- A. Setbacks/Unit Area.
 - 1. No minimum setback from individual property boundary lines or minimum lot area is required within the Planned Unit Development. However, the site shall meet the requirements of this subsection.
 - 2. There shall be a landscaped area across each street side of the C-PUD with a width of at least 40 feet. This area shall not be used for buildings or parking areas, and shall be unoccupied, except for permitted light poles, signs, landscaping and access driveways.
 - 3. There shall be a minimum 10-foot green/landscaped area around the remainder of the perimeter of the site. This area shall not be used for buildings or parking areas, and shall be unoccupied, except for permitted light poles, signs, landscaping and access driveways.

4. No building shall be closer than 25 feet from a side lot line abutting a residential district or existing use, or 15 feet from a side lot line adjacent to a non-residential zoning district. No building shall be closer than 25 feet from any rear lot line. For purposes of these sections, the side and rear lot line shall be determined by applying the definitions in the zoning ordinance to the entire C-PUD site as if it were a single parcel.

B. Access To Site.

Access to the site shall be consistent with the “Access Management Guidelines” of the Courtland Township Master Land Use Plan, as may be amended from time to time. In particular, the access to the C-PUD shall be designed with the goals of:

1. A maximum of one driveway for the C-PUD.
2. In the case of a PUD located on two intersecting streets, access to that street which will promote traffic safety and neighborhood compatibility.
3. Providing by easement for adjacent properties to use shared access for future development.

C. Landscaping And Site Design. Site development features and landscaping shall be provided which promotes the “Site Development and Landscape Guidelines” of the Courtland Township Master Plan, as amended from time to time.

D. Lighting. Lighting fixtures for parking lots shall be no higher than 15 feet and shall be provided with a cutoff light fixture so as to minimize the amount of light extending into areas outside of the parking lot.

E. Parking. The number of parking spaces and layout and dimensions of parking areas shall be as provided in Chapter 13 of the Zoning Ordinance. Shared parking areas are permitted. In considering the sufficiency of parking, the Township shall take into account the range of possible uses within the C-PUD, and may impose conditions upon uses as necessary to ensure that minimum parking requirements are satisfied.

F. Signs. Signs are permitted as provided for in Chapter 13 of the Zoning Ordinance for the C-Commercial District. The Township may approve an increase in maximum size of free-standing signs for a multi-tenant development utilizing a shared sign for the occupants of the C-PUD, up to the maximum which would be permitted for separate signs.

G. Utilities. All electric and telephone transmission wires shall be placed underground.

- H. Private Streets. The Township recognizes that the policy considerations that require public streets as a general rule for residential development are not the same for commercial development, if private streets in a C-PUD are properly designed and maintained. Accordingly, the Planning Commission may approve private streets for the purpose of internal circulation within a C-PUD, or to adjacent commercial property. Private streets shall not be approved if they provide the principal means of access to residential properties. Approved private streets shall meet the design requirements and provisions for maintenance in Chapter 2.
- I. Sidewalks. The Planning Commission may require sidewalks within a C-PUD in order to improve pedestrian access and safety throughout the development, and neighboring properties or uses. In deciding whether to require sidewalks, the Township shall consider the number, location, and types of uses of buildings proposed within the C-PUD, the expected pedestrian and vehicular traffic, and the relationship of the C-PUD with surrounding and nearby properties.
- J. Stormwater. A stormwater management plan complying with the Township Stormwater Management Ordinance shall be submitted. The applicant shall impose a storm water operations and maintenance agreement in compliance with the ordinance and subject to Township approval.
- K. Construction And Phasing. The Planning Commission may impose reasonable limitations upon construction activities, including limitations upon the opening of grades, hours of construction, and other conditions in order to promote capability with adjacent properties, and to minimize noise, traffic disruption, sedimentation, run-off or other effects of construction activities.

SECTION 9A.06 APPROVAL STANDARDS

The Township shall consider and find that each of the following have been satisfied before granting approval of any C-PUD.

- A. The requirements of this Chapter.
- B. To the extent not inconsistent with the requirements of this Chapter, the standards of Section 11.06.
- C. With respect to any proposed special land use, the standards of Section 12.03.a.1(a)-(d).