

RILEY TOWNSHIP - ST. CLAIR COUNTY

ARTICLE IX
GENERAL PROVISIONS

SECTION 921. CLUSTER HOUSING AND OPEN SPACE PRESERVATION:

- A. INTENT: The purpose of this section is to provide a mechanism for development of single-family residences in rural areas which assists in meeting the following goals: maintain the rural character of the area, maintain an image of open space, permanently preserve open space and natural resources, protect a portion of lands for agriculture and farming, and achieve a balance between farming, open space and residential growth.
- B. USES PERMITTED OR ELIGIBILITY FOR OPEN SPACE DEVELOPMENT: To utilize this development option a site shall be located within the AR district, contain a minimum of twenty (20) contiguous acres of land and to prevent too large a concentration of homes in any given area, a maximum of one hundred twenty (120) acres. Not less than fifty (50%) percent of the parcel must be perpetually preserved in an undeveloped state.

All proposals under this option must comply with the following:

C. PLAN REQUIREMENTS

All applications shall comply with the following requirements for information, plan content and design:

1. A Community Impact Statement shall be submitted which describes the project's anticipated impact on:
 - a) Public services and facilities such as but not limited to police, fire protection, emergency medical services, public schools, and the like.
 - b) The public road system.
 - c) Neighboring uses.
 - d) Visual character of the site.
 - e) Utility Plan: Underground utilities are recommended to maintain the rural character.

The Community Impact Statement must be included with the application as a separate written submittal.

2. A resource inventory shall be submitted which clearly identifies the following:
 - a) All floodplains, wetlands and waterbodies.
 - b) A woodlands analysis describing all significant tree stands and methods of preserving identified areas.
 - c) A survey and analysis of on-site soils and slopes, bases on Soil Conservation

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and USGS maps and data.

- d) An analysis of the cultural features of the site, such as views, historic structures, patterns of original farm fields, active agricultural or equestrian uses, fences or stone walls, recreational uses and the like.
 - e) The resource inventory components must be submitted as a separate written document.
3. The permanent open space shall include the site's most significant natural and/or cultural environmental features, such as:
- a) steep slopes, escarpments,
 - b) wetlands, floodplains, natural watercourses,
 - c) woodlands,
 - d) scenic views,
 - e) agricultural or equestrian components,
 - f) historical structures,
 - g) recreational pathways and facilities,
 - h) similar features approved by the Planning Commission.
4. All lots shall be served by an internal road network. No lots shall front upon the existing major road, unless specifically approved by the Planning Commission.
5. Individual dwellings and clusters of homes shall be visually screened from view along existing roadway corridors, in order to reduce visual impact and the appearance of a typical subdivision.
6. The open space shall be accessible to all lots in the development, either directly, from a pathway system, or from the internal road network.
7. Site Plans submitted under this option shall be accompanied by information regarding the following:
- a) The proposed manner of holding title to open land in perpetuity.
 - b) The proposed method of regulating the use of open land.
 - c) The proposed method of maintenance of property and financing thereof.

Approval under this section requires that a site plan meeting the requirements of this section and Section 913 be reviewed and approved by the Planning Commission. In addition to a site plan, the Planning Commission may require the submittal of additional documents as specified or called for herein.

D. DESIGN REQUIREMENTS

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1. The 50% (fifty percent) conservation area shall be designated and permanently protected for uses such as but not limited to mature woodlands, significant wildlife habitat areas, recreation, prime farmland, historic, or scenic views. All such lands shall be protected by restrictions or covenants running with the land and must be approved by the Township Attorney to assure the following:
 - a) That title to the open land is held in common by the owners of all dwelling units in the detached single family cluster development.
 - b) A permanent organization for maintenance and management of all such areas shall be assured by legal documents prior to issuance of the building permit.
2. All open space shall be permanent and set aside in perpetuity.
3. Open space shall be preserved using one or a combination of the following methods:
 - a) Deed restrictions or condominium master deed restrictions.
 - b) Dedication of open space to a public body or private land conservancy or trust. (i.e. Blue Water Conservancy, Michigan Nature Association, Michigan Department of Natural Resources, St. Clair County Parks and Recreation).
 - c) All open space agreements which involve donations of land to the Township or which names the Township as a party to any agreement shall be approved by the Township Board prior to the approval of the development proposal by the Planning Commission.
4. A cluster development shall front upon, and have actual frontage upon, a public street, road or highway, as defined under the terms and provisions of this Ordinance, for at least a minimum of three hundred thirty (330') feet. The cluster development shall have a minimum of twenty (20) acres and a maximum of one hundred twenty (120) acres.
5. ROAD STANDARDS: All internal roads shall be designed and constructed to meet all requirements of the St. Clair County Road Commission.
6. MINIMUM LOT SIZE: The conventional minimum lot area and width requirements set forth in the Area, Width, Setback and Height Regulations (Section 803) shall not apply to a residential building. The minimum lot area and width shall be large enough for anticipated rural household activities and shall also be determined by land area and distances required to comply with yard and setback requirements and County Health Department on-site sewage disposal and well requirements

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(including isolation distances and sufficient land area for replacement septic fields). However, in no instance shall a lot have less than one (1) acre in area or a width of less than two hundred (200') feet. Exceptions can be approved by the Planning Commission in the case of off-lot septic systems.

7. LANDSCAPING: To maintain the rural character of the district, the frontage along the perimeter public road (s) shall be heavily landscaped to screen clustered homesites from view of the public to the greatest extent feasible. A landscape plan for such areas shall be reviewed and approved by the Planning Commission. Existing natural screens, or new screens may be used. The Planning Commission may require the installation of a landscaped berm where necessary to meet the intent of this Section.
8. Density Limit: The number of dwellings permitted to be constructed shall not exceed the number that would be permitted under conventional zoning regulations as determined by gross parcel area, less easements and unbuildable areas, divided by the minimum lot area for the zoning district involved.