

32.00**ARTICLE XXXII**

**CORRIDOR OVERLAY
PLANNED UNIT DEVELOPMENT ZONING DISTRICT**

A Corridor Overlay Planned Unit Development (COPUD) Zoning District is hereby established consistent with the goals and objectives of the Whitewater Township Master Plan adopted in 1990 and amended in 1991 and pursuant to the zoning enabling statutes of the State of Michigan, including but not limited to Act 184 of 1943 as amended.

All developments proposed within this District shall be subject to the procedures, standards and guidelines specified in the following sections, in addition to those standards pertaining to the particular base zoning district in which the development occurs.

The purposes of establishing this district are as follows:

1. To encourage the use of land in accordance with its character and adaptability.
2. To encourage economy and efficiency in the use of land, natural resources, energy and the provision of public services and utilities.
3. To encourage the preservation of scenic vistas and viewsheds. Further, to establish site and structure design standards which will protect and enhance property values and encourage successful commercial and industrial development in the District.
4. To preserve or enhance the visual character of the corridor for the economic benefit to local land owners and the region by establishing and maintaining an orderly, well designed corridor in keeping with the character and values of the Township and the region.
5. To afford applicants the greater flexibility of a Planned Unit Development regulated primarily through performance-based standards so that proposed designs can be reviewed with the applicant in a cooperative manner to determine whether the proposed plan meets the standards and guidelines of this zoning district.

32.10 DEFINITIONS:**BENEFIT, RECOGNIZABLE AND SUBSTANTIAL:**

A clear benefit, both to the ultimate users of the property in question and to the community, which would reasonably be expected to accrue, taking into consideration the reasonable foreseeable detriments of the proposed development and use(s); including without limitation: long-term protection and/or preservation of natural resources and natural features and/or historical and/or architectural features of a significant quantity and/or quality in need of protection or preservation on a local, state and/or national basis; reducing to a significant extent the non-conformity of a non-conforming use or structure so that, to a significant extent, it is rendered more conforming, or less offensive, to the zoning district in which it is situated.

COMMUNITY IMPACT STATEMENT:

An assessment of the the developmental, ecological, social, economic and physical impacts of a project on the natural environment and the physical improvements on and surrounding the development site. Information required for compliance with other ordinances shall not be required to be duplicated in the Community Impact Statement.

NATURAL FEATURES:

Natural features shall include soils, wetlands, floodplain, water bodies, sand dunes, topography, vegetative cover and geologic formations.

PLANNED UNIT DEVELOPMENT:

A planned unit development may include such concepts as cluster development, planned development, community unit plan, planned commercial development, planned commercial/residential developemnt and other terminology denoting zoning requirements designed to accomplish the objectives of this Ordinance through a land development review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area and the community master plan.

PUD:

A planned unit development.

COPUD:

A corridor overlay zone which employs the methods and techniques of a planned unit development.

UNDERLYING ZONING:

The zoning classification and regulations applicable to the property immediately preceding the designation of the property as a Corridor Overlay Planned Unit Development Zoning District.

32.11 DELINEATION TO THE CORRIDOR OVERLAY PLANNED UNIT DEVELOPMENT ZONING DISTRICT

The Corridor Overlay Planned Unit Development zoning district shall include all those lands adjoining M-72 from Cook Road westward to the west township line and lying 500 feet north and 500 feet south of the centerline of the M-72 right-of-way.

32.12 APPLICABILITY OF THIS ARTICLE

Within this COPUD District, all development projects are eligible to employ the design standards and applicable procedures of this article. Development projects entailing principal structures with an over-all floor area in excess of 5,000 square feet shall be subject to the design standards and application procedures of this article (Sections 32.13 to end). Development projects in this Copud District on parcels of land fronting on M-72 but of greater depth than 500 hundred feet may extend the applicability of these procedures and design standards by means of rezoning or through variances.

32.13 GENERAL DESIGN STANDARDS

1. Subject to paragraph 2 of this section, all regulations applicable to lot size, lot width, lot coverage, setback, parking and loading, general provisions, and to other requirements and facilities, shall meet the regulations applicable in the underlying district in which the project is located. In addition, all projects in this COPUD Zoning District shall meet the design standards and guidelines of this article.

2. Consistent with the planned unit development concept, and toward the end of encouraging flexibility and creativity in development, departures from compliance with the regulations provided for in the immediately preceding paragraph 32.13.1 may be recommended in the discretion of the Planning Commission and granted by the Township Board as part of the approval of a planned unit development. Such departure may be authorized on the condition that there are features or planning mechanisms, deemed adequate by the Planning Commission and the Township Board, designed into the project for the purpose of achieving the objectives intended to be accomplished with respect to each of the regulations from which a departure is sought.

3. The development shall be designed so as to promote preservation of natural resources and natural features. In the interpretation of this provision, natural resources and natural features may be impaired or altered, moved or removed if it is in the public interest to do so. In determining whether action is in the public interest, the benefit which would reasonably be expected to accrue from the proposal shall be balanced against the reasonably foreseeable detriments of the activity, taking into consideration the local, state and national concerns for the protection and preservation of natural resources and natural features, and taking into account the provisions and standards of Act 127 of the Public Acts of 1970, as amended, the Michigan Environmental Protection Act.

4. The Planning Commission and the Township Board shall take into account the following considerations, as the same may be relevant to a particular project and insure compliance with all related applicable regulations established elsewhere in the Ordinance including, but not limited to, architectural design standards, perimeter setbacks, grading and berming, roads and driveways, drainage, stormwater runoff, snow clearing and storage, underground installation of utilities, insulating the pedestrian circulation system from vehicular traffic, achievement of an integrated development with respect to signage, lighting, landscaping and building materials; and, noise reduction and visual screening mechanisms particularly in cases where nonresidential uses adjoin off-site residential uses or residentially zoned property. The Whitewater Township Commercial/Industrial Designs Example Book, which is available in the office of the Zoning Administrator, contains graphic and photographic examples of structures and landscaping which would comply with or approach compliance with the design standards of this article.

32.14 SETBACKS FOR STRUCTURES ON PARCELS OR SITES FRONTING ON THE M-72 CORRIDOR

Front Yard Setbacks:

No permanent structure other than a free-standing sign approved by the Township shall be constructed closer to a public right-of-way than seventy-five (75) feet.

Side Yard Setbacks:

No permanent or temporary structure shall be constructed or placed within twenty-five (25) feet of any side yard not facing a public right of way. Of this minimum side yard, an open strip of fifteen (15) feet in width shall be maintained as a service drive, as a lawn or planted in low-growing ground cover (such as myrtle or euonymous) to permit emergency equipment access. At least five (5) feet of the side yard adjacent to the property line shall be planted and maintained as a green-belt/buffer strip to the adjacent property (see Article XXXIII). In no case shall structures occupy more than sixty percent (60%) of the width of any parcel when measured along lines perpendicular to the centerline of the principal adjoining road.

Rear Yard Setbacks:

The rear yard setback shall be thirty (30) feet plus the width of any required green-belt or buffer zone.

32.15 OFF-STREET PARKING AND LOADING

1. All off-street parking and loading areas shall comply with the standards and regulations of Article XXXIV, Off-Street Parking and Loading.
2. Parking allowed in the front yard setback in excess of six (6) vehicles shall be screened from view of the adjoining roads as follows:
 - a. In the C-1, R-3 and N zoning districts adjoining M-72, parking shall be screened by means of a buffer zone six (6) feet high as described in Section 33.3.1, Buffer Zone - 30 Feet, and 33.60, Greenbelts, of Article XXXIII, Landscape Standards. Similar screening by means of a six (6) foot high buffer zone shall be required along side yards of corner lots where parking is located in the side yard adjoining the side street.

32.16 ARTERIAL ROAD ACCESS, DRIVEWAY, AND SERVICE DRIVE REGULATIONS

Access to arterial roads, side roads on corner lots, and other roads; driveways; connections between parking lots on adjacent parcels; and service drives shall comply with Article XXXV, Arterial Access Management Regulations.

32.17 ARCHITECTURAL DESIGN REVIEW AND STANDARDS

The compatible relationship of the proposed development in the District is of critical public concern for any buildings or site improvements. The intent of the design review is not to stifle innovative architecture but to assure respect for existing designs that substantially comply with the intent and design standards of this article and to reduce incompatible and adverse impacts on the visual experience from the roadways in these corridors, parks, and residential districts. To accomplish this the Site Plan Review Committee and the Planning Commission shall exercise the following standards and guidelines in reviewing all such proposed development:

1. Proposed development shall avoid excessive or unsightly grading, indiscriminate earth moving or clearing of property, and removal of trees and vegetation which could cause disruption of natural water courses or disfigure natural land forms.

2. Proposed development shall be located and configured in a visually harmonious manner with the terrain and vegetation of the land parcel and surrounding parcels. Structures shall impede, as little as reasonably practical, scenic views of the natural environment from the corridor.
3. Although maximum site densities and special site regulations listed in the particular zoning districts of Articles VIII, IX, and XII shall be preserved, proposed structures shall not dominate, in an incompatible manner, any existing general development or adjacent building which is substantially in compliance with this article. This may be accomplished by use of appropriate site design, architectural features, and/or landscaping to reduce the appearance of excessive and inappropriate height or mass of proposed structures. When viewing the site in a direction perpendicular to the adjacent roadway, no more than sixty (60) percent of the view to property or open space beyond the site may be obstructed by structures and in no case will more than three hundred (300) feet of uninterrupted structure with no view to the property or open space beyond be allowed.
4. The architectural design of structures and their materials and colors shall be visually harmonious with the overall traditional appearance and cultural history of the township and region, that is, structures which are designed to be unobtrusive and which are situated and landscaped in a manner to blend with or to be complementary to natural land forms and existing vegetation or vegetation indigenous to this region.
5. Structures shall demonstrate the general principles of good design including, but not limited to those dealing with form, mass, scale, height, texture and color. Specific consideration shall be given to compatibility with adjacent structures where such structures are substantially in compliance with this Article.
 - a. Pitched roofs with a minimum slope of 4/12 and with wide overhangs are strongly encouraged. False mansard roofs are not acceptable. Shingles, metal standing seam, tile or other roof materials which are nature-blending in texture and appearance are considered appropriate to the township and regional character.
 - b. Long monotonous facade designs including, but not limited to, those characterized by unrelieved repetition of shape and form or by unbroken extension of line shall be avoided. Excessive ornamentation shall be avoided to prevent visual clutter. All facades of a building or structure which may be visible from a roadway, an adjacent R1 District or School shall receive design consideration. Exterior building components such as windows, doors, eaves and parapets shall have balanced proportions. Screening of monolithic or monotonous facades by means of trees or other vegetation may be considered in design reviews.
 - c. Natural wood siding, log or quarter log siding, brick, stone, or other materials of similar texture and appearance are considered appropriate to the township character. Reflective surfaces are not acceptable. Metal or plastic surface materials which are visually similar in color and texture to natural materials may be considered.

- d. Colors of paints, stains, and other finishes or materials shall be nature-blending in colors natural to the predominant hues of spring, summer and fall, with generally no more than three colors per building. Semi-transparent stains are recommended for application on natural wood finishes.
- e. Exterior architectural, display and decorative lighting visible from the roadway shall be generated from concealed light source, low level light fixtures. Refer to items (7) and (9)b in this section for other types of lighting and to Article XXIX Exterior Lighting. The most restrictive regulations shall apply.
- f. All interior lighting shall be so designed to prevent the light source or high levels of light from being visible from the corridor roadway.
- g. All projections and mechanical details such as louvers, exposed flashing, flues, vents, gutters and downspouts are to be recognized as architectural features and are to be treated to match the color of the adjacent surface or an approved complementary color.
- h. Mechanical equipment or other utility hardware on the roof, ground, or elevations of a structure shall, whenever possible, be located so as not to be visible from any public ways or adjacent residential areas. Where such limitation on location is not possible, the facilities shall be screened from public view with materials harmonious with the building.
- i. In any design in which the structural frame or mechanical components are exposed to view as architectural features, the structural materials shall be compatible within themselves and the overall structure design and their surroundings.
- j. Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways with materials harmonious with the building. Solid Waste collection and storage facilities shall be designed to accommodate trash collection and recycling as well as composting, if the planned use will generate compostable waste.
- k. Structures shall be so sited or screened by means of berms and/or vegetation that garage doors and larger service entrance doors are not visible from the public roadways.
- l. The outdoor display of vehicles, equipment, boats, etc. for sale shall be limited to not more than four (4) representative units. All other such units, if not stored or displayed in a completely enclosed structure, shall be fully screened from view from public roads and all adjacent properties by means of berms and/or vegetation barriers or fences, approved by the Planning Commission, which shall be maintained to be fully effective year around. Units being serviced or stored shall be similarly enclosed or screened.

- m. Structures, whenever reasonably possible, shall be oriented to the sun, with window sizing and placement, roof overhangs or awnings, and landscaping designed to provide shade and wind protection to achieve economies in heating and cooling costs.
- n. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form and siting may be used to provide visual interest. In multiple building projects, variable siting of individual buildings may be used to prevent a monotonous appearance.

6. The landscape plan for any proposed development shall provide visually harmonious and compatible settings for structures on the same lot and on adjoining or nearby lots and shall blend with the landscape characteristic of the township and region. Natural appearing landscape forms are strongly encouraged as is the planting of indigenous plant species; formal plans and the appearance of straight hedges are discouraged. Landscaping shall be required between buildings and sidewalks, parking lots and driveways. The scale of the proposed landscaping shall be in proportion to the building.

7. Site lighting shall be low-level from a concealed light source fixture and shall not spill over into adjoining properties (except with the written consent of the adjoining property owner and the concurrence of the Site Plan Review Committee and the Planning Commission), road right-of-ways, waterfronts, parks or wetlands. Nor shall site lighting interfere in any way with the vision of motorists. Exterior lighting shall also comply with Article XXIX, Exterior Lighting Regulations.

8. To the extent that they relate to both appearance standards and resource conservation, the design standards and construction techniques of any proposed development shall be responsive to energy consumption and environmental quality considerations such as heat loss, heat gain, air emissions and runoff water retention and discharge quality.

9. Streetscape Improvements:

a. Streetscape improvements include those architectural or functional facilities or structures which occur on site but are not part of the building and which encourage and facilitate human interaction with the environment. Examples include, but are not limited to the following: decorative light fixtures, fountains, sculpture, benches and tables, planters, retaining walls, pedestrian and bicycle paths, bicycle parking structures, trash receptacles and enclosures, vendor areas, bollards and fences. These improvements shall be designed to be consistent with all guidelines of this section and shall be reviewed for design function and compatibility with the character of the Township.

b. Decorative, low-level intensity, non-concealed source lighting which defines vehicular and/or pedestrian ways may be acceptable if part of a lighting masterplan. It is strongly discouraged as general lighting for a development. The plans must show the relationship of the fixtures and the light patterns to each other, to the overall sight, to other proposed or existing development (to the extent it is known), and the COPUD Zoning District.

10. Signs

a. All signs shall meet all requirements of Article XXX Sign Regulations. The Site Plan Review Committee and/or the Planning Commission may place further requirements on signs visible from adjacent roads if consistent with the provisions of this Article.

b. New or replacement signs in the COPUD District shall receive approval from the Site Plan Review Committee prior to installation.

c. The Site Plan Review Committee and/or the Planning Commission is authorized to approve or disapprove the appearance of features on such proposed signs. Signs will be reviewed for compliance with the guidelines of this section and for compatibility with the township character. The Zoning Administrator's approval shall be given only after the Site Plan Review Committee and/or the Planning Commission's approval is granted.

d. The amount of information on signs shall be no more than is necessary to provide reasonable identification of the business and whether the business is open or, in the case of hotels or motels, whether there are vacancies. "Open" or "Vacancy" signs shall be no more than two(2) square feet in area and shall be incorporated in the free standing sign which identifies the business.

e. Flags: (1) Non-governmental flags are deemed to be signs and shall be subject to the provisions of this article and Article XXX of this ordinance. Poles or any other means used to fly flags are deemed structures and shall be subject to the restrictions on structure heights (see Section 12.11, Schedule of Regulations).

32.18 LANDSCAPE STANDARDS

The information required for Site Plan Review shall include a detailed and comprehensive Landscape Plan for the entire project which achieves the following objectives:

1. retains existing trees insofar as possible and retains natural or existing topographic patterns which contribute to the beauty and utility of the development.
2. addresses the functional aspects of landscaping, such as drainage, erosion prevention, wind barriers, provision of shade, sound absorption, dust abatement, and reduction of glare.
3. enhances architectural features, strengthens vistas and important axis and sight lines.
4. achieves unity of design by repeating certain plant varieties and other materials and by correlation with adjacent developments.
5. selects plant material for interest in its structure, texture, and color and also for its ultimate growth. Indigenous plant species and others that will be hardy, harmonious to the design and of attractive appearance shall be used. A list of species which are recommended to be used or to be avoided may be obtained from the Zoning Administrator.

6. enhances parking areas and related vehicular and pedestrian trafficways with landscaped areas, including trees and tree groupings.
7. protects plants from injury by pedestrians or motor traffic with appropriate curbs, tree guards, or other devices.
8. where landscaping is used as screening, it shall be equally effective in winter and summer and shall attain a height and density so that it provides the full desired effect within three(3) years growing time.
9. controls run-off of fertilizers and pesticides.
10. minimizes watering and maintenance requirements.
11. in areas where general plantings will not prosper, other material is used such as wooden, brick or stone fences, wall, and pavings of wood, brick, stone, gravel or cobbles. Suitable plants shall be combined with such materials where possible.
12. avoids monotony by offering visual variety to structural masses and helps the man-made structures achieve harmonious appearance with the retained natural trees, vegetation and features and with the setting as a whole.
13. is consistent with the regulations, guidelines and intent of Article XXXIII Landscape Standards.

32.19 INTERIOR ROADS, SERVICE DRIVE, AND PATHWAY STANDARDS

The interior road and service drive system shall conform to the standards for design and construction of the Grand Traverse County Road Commission if the road/drive system is to be dedicated as a public right-of-way. The interior road/drive system may however, consist of private roads and may, for the purpose of lessening impact on the site, have reduced right-of-way widths, turn radii, surface widths, and greater permissible grades provided that the standards for construction and quality meet or exceed the standards for paved local access roads of the County Road Commission and further provided that the road/drive system provides adequate and safe access for both ingress and egress of emergency equipment. When a development uses a private road/drive and/or a private pathway system, all deeds and agreements affecting lands having access to the private road/drive and/or path system shall mandate the formation of an association or corporation for the purpose of managing and maintaining the system and require the owners of those lands to approve a special assessment district if necessary as a means of funding the maintenance or improvement of the private road/drive and/or pathway system.

32.20 SPECIAL DESIGN STANDARDS AND REGULATIONS

For Special Land Uses the standards of Article XXV Site Plan Review including section 25.11, Standards for Decisions, and section 25.13, Additional Site Development Requirements and Standards for Special or Conditional Use Permits shall also apply in addition to the design standards of this Article XXXII (specifically sections 32.14 through 32.21).

32.21 PROCEDURE FOR REVIEW AND APPROVAL:

A. The grant of a planned unit development application shall require a rezoning, i.e., an amendment of the Zoning Map constituting a part of this ordinance so as to designate the property which is the subject of the application as planned unit development. Further, an approval granted under this Article, including all aspects of the final plan, and conditions imposed, shall constitute an inseparable part of the zoning amendment.

B. All planned unit developments shall be subject to the full site plan review procedure as set forth in Article XXV of the Ordinance, including not less than one public hearing, notice of which hearing shall be given by two publications in a newspaper of general circulation in the Township, the first to be printed not more than 30 days nor less than 20 days and the second not more than 8 days before the date of the hearing. Not less than 20 days' notice of the time and place of the hearing shall also be given by mail to each electric, gas, pipeline and telephone public utility company, and to each railroad operating within the district or zone affected, that registers its name and mailing address with the Township Planning Commission for the purpose of receiving the notice. Written notice of the hearing shall also be given to the owner of the property in question, to all persons to whom any real property within 300 feet of the premises in question is assessed, and to the occupants of a single and two family dwellings within 300 feet. The notice shall be delivered personally or by mail to the respective owners and tenants at the address given in the last assessment roll. If the tenant's name is not known, the term "occupant" may be used. If the notice is delivered by mail, an affidavit of mailing shall be filed with the Planning Commission before the meeting. The notice shall be made not less than 8 days before the hearing and shall state the time, place, date and purpose of the hearing.

In addition to the information required under Article XXV, the application for a planned unit development shall include:

1. Statement of intent of proposed use of land and phasing of the project. Later phases of the development may be revised to allow for different building types when the possible need for such deviation is indicated on the approved plan.
2. All open spaces, including preserves, recreational areas, and the like, and each purpose proposed for such areas together with copies of deeds, deed restrictions, easements, restrictive covenants or other legal instruments to be recorded as a condition of approval of the application and site plan.
3. All known natural resources and natural features to be preserved.
4. Density calculations, number and types of units (if applicable), and floor area per habitable space.
5. A separately delineated specification of all deviations from this Ordinance which would otherwise be applicable to the uses and development proposed in the absence of this planned unit development Article. This specification should include ordinance provisions from which deviations are sought, and if the applicant elects to be governed by Section 31.12 B. 1., the reasons and mechanisms to be utilized for the protection of the public health, safety and welfare in lieu of the regulations from which deviations are sought shall be specified.

6. In the event the property on which the project is to be situated consists of ten (10) acres or more, a community impact statement shall be submitted as part of the application.
7. A detailed landscaping plan.
8. A specific schedule of the intended development and construction details, including phasing or timing, and the general improvements to constitute a part of the development, including without limitation, lighting, signage, the mechanisms designed to reduce noise, utilities and visual screening features.

C. Within a reasonable time following the public hearing and completion of the site plan review process, the Township Planning Commission shall consider the application and prepare a report recommending that the application be denied, approved or approved with conditions. The report shall include the basis for the recommendation together with the documents related to the planned unit development request. The report and documents shall be transmitted to the Township Board for consideration in making a final decision.

32.22 Performance Guarantees:

The planning Commission may require reasonable performance guarantees, as authorized under the Township Rural Zoning Act (Act 184 of 1943) to insure completion of improvements.

32.23 Conditions:

Reasonable conditions may be required with the approval of a planned unit development, to the extent authorized by law, for the purpose of insuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased services and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources and energy, insuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. Conditions imposed shall be designed to protect natural resources and the public health, safety and welfare of the individuals in the project and those immediately adjacent, and the community as a whole, shall be reasonably related to the purposes affected by the planned unit development, and shall be necessary to meet the intent and purposes of this Ordinance, and be related to the objective of insuring compliance with the standards of this Ordinance. All conditions imposed shall be made a part of the record of the approved planned unit development.

32.24 Phasing and Commencement of Construction:

A. Phasing:

Where a project is proposed for construction in phases, the planning and designing shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area. In addition, in developments which include residential and non-residential uses, phasing shall contemplate that at least 35% of all proposed residential uses are completed concurrent with the first phase of any

non-residential construction; completion of at least 75% of all proposed residential construction prior to the second phase of non-residential construction; and completion of 100% of all residential construction prior to the third phase of non-residential construction. For purposes of carrying out this provision, the percentages shall be approximations as determined in the discretion of the Planning Commission, and further, such percentage may be significantly varied should the Planning Commission determine, in its discretion, that the applicant has presented adequate and effective assurances that the residential component or components of the project shall be completed within the specified period.

B. Commencement and Completion of Construction:

Construction shall be commenced within one year following final approval of a planned unit development, or within one year of any other necessary governmental approval for commencement of the project, whichever is later, provided all other necessary approvals have been actively pursued. Each phase of the project shall be commenced within one year of the schedule established for same in the application submitted for the planned unit development. If construction is not commenced within such time, any approval of the final plan for the project shall expire and be null and void, provided, an extension for a specified period may be granted by the Planning Commission upon good cause shown if such request is made to the Planning Commission prior to the expiration of the initial period.

32.25 Effect of Approval:

If and when approved, the planned unit development, with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvement and use shall be in conformity with such approval. The applicant shall record an affidavit with the Register of Deeds containing the legal description of the entire project, specifying the date of approval of the planned unit development, and declaring that all future development of the planned unit development property has been authorized and required to be carried out in accordance with the approved planned unit development unless an amendment thereto is duly adopted by the Township upon the request and/or approval of the applicant, or applicant's transferee and/or assigns.

32.26 Modification or Waiver of Standards or Requirements:

Since the express purpose of this Article is to achieve better use of land than would be likely under strict adherence to the standards and requirements of the Zoning Ordinance, the Planning Commission may recommend and the Township Board may approve applications for rezoning to Planned Unit Development where the application requires the modification or waiving of specific standards or requirements contained within this Article provided that the proposed PUD complies with the full intent and purpose of this Article, and further that it is clearly shown that such modification or waiving of specific standards or requirements will result in a recognizable and substantial benefit which would not otherwise accrue to the community if all provisions of this Article were to be met. In no case, however, may the dwelling unit density limits established in Table 31.13 F be modified or waived.