

ARTICLE 5
DIVISION 2: PLANNED UNIT DEVELOPMENT (PUD) OVERLAY

Sec. 86-260 Intent

- a. The Planned Unit Development (PUD) standards are a supplementary list of "overlay" zoning standards which apply to properties simultaneously with one (1) of the other zoning districts established in this Ordinance, hereinafter referred to as the "underlying" zoning district. For properties approved for PUD designation, these PUD standards replace the schedule of regulations listed for the underlying zoning districts.
- b. The PUD standards are provided as a design option, intended to permit flexibility in the regulation of land development; to encourage innovation in land use, form of ownership (such as condominiums), and variety in design, layout, and type of structures constructed; to achieve economy and efficiency in the use of land; to preserve significant natural, historical, and architectural features and open space; to promote efficient provision of public services and utilities; to minimize adverse traffic impacts; to provide better housing, employment, and shopping opportunities particularly suited to residents of the City; to encourage development of convenient recreational facilities; and to encourage the use and improvement of existing sites when the uniform regulations contained in other zoning districts alone do not provide adequate protection and safeguards for the site or its surrounding areas.
- c. The standards are intended to accommodate development on sites with significant natural, historical, and architectural features, as noted in the City of Vassar Master Plan, on land which exhibits difficult development constraints, and/or to provide the opportunity to mix compatible uses or residential types, and/or to allow clustering of residential units to preserve common open space and natural features. The PUD standards shall not be sought primarily to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purposes herein set forth.
- d. In order to encourage PUD developments on specific properties, these standards relax or waive one (1) or more of the dimensional requirements of the underlying district. The PUD also allows the developer the opportunity to mix compatible uses or residential types on a single property, allows clustering to reduce construction costs, and may enhance marketability through the preservation of significant natural, historical, and architectural features.

Sec. 86-261 Principal Permitted Uses

- a. Principal uses permitted under the PUD standards are based on the underlying zoning district, as indicated below:
 1. RA-1, RA-2, RM-1, RM-2. All principal uses of the underlying district shall be permitted. In addition to those uses, low density multiple-family dwellings or a mixture of single and multiple-family dwellings on a planned basis, through the use of attached dwellings, townhouses apartment buildings, zero lot line configurations, and/or other similar building configurations; or any combination of these residential uses may be permitted within the PUD.
 2. B-2. All business, service, professional office, retail, and other commercial uses, or any combination of these uses, listed as principal uses permitted in the underlying zoning district shall be allowed. In addition, other business, service, and residential uses may be permitted, if determined by the Planning Commission to be similar to other uses in the surrounding area.

3. I-1. All business, service, professional offices, light manufacturing, and other commercial uses, or any combination of these uses, listed as principal permitted uses in the underlying zoning district shall be permitted. In addition, other business, service, office, and light manufacturing uses may be permitted, if determined by the Planning Commission to be compatible with other proposed PUD uses and surrounding uses.

Sec. 86-262 Special Land Uses and Conditional Uses

All uses listed as special land uses in the underlying district are considered as special land uses or conditional land uses within the planned unit development designation.

Sec. 86-263 Qualifying Conditions

In order to qualify for PUD approval, the applicant must demonstrate in writing that each of the following criteria will be met by the proposed PUD:

- a. **Demonstrated Benefit.** The PUD shall provide one (1) or more of the following benefits not possible under the requirements of another zoning district, as determined by the Planning Commission:
 1. Preservation of significant natural or historic features.
 2. A complementary mixture of uses or a variety of housing types.
 3. Common open space for passive or active recreational use.
 4. Mitigation to offset community impacts.
 5. Redevelopment of a nonconforming site where creative design can address unique site constraints.
 6. Implementation of a significant component of the Vassar Master Plan.
- b. **Availability and Capacity of Public Services.** The proposed type and density of use shall not result in an unreasonable increase in the use of public services, public facilities, and utility capacities.
- c. **Compatibility with the Master Plan.** The proposed PUD shall be compatible with the overall goals and recommendations as proposed in the City of Vassar Master Plan.
- d. **Compatibility with the PUD Purpose.** The proposed PUD shall be consistent with the purpose of *Article 12* and spirit of this Ordinance.
- e. **Development Impact.** The proposed PUD shall not impede the continued use or development of surrounding properties for uses that are permitted in this Ordinance.
- f. **Unified Control of Property.** The proposed PUD shall be under single ownership or control such that there is a single entity having responsibility for completing the project in conformity with the PUD regulations. This provision shall not prohibit a transfer of ownership or control, provided that notice of such transfer is provided to the City.

Sec. 86-264 Application and Review Procedure for Preliminary PUD Site Plan and Final PUD Site Plan

The application process for a PUD involves a three (3) step process including: an optional pre-application workshop; review of a preliminary (conceptual) site plan by both the Planning Commission and City Council; and review of a final PUD site plan by the Planning Commission. The procedures are described below:

CITY OF VASSAR ZONING ORDINANCE



- a. An optional pre-application workshop with the Planning Commission may be requested by the applicant to discuss the appropriateness of the PUD concept, solicit feedback, and receive requests for additional materials supporting the proposal. An applicant desiring such a workshop shall request placement on the Planning Commission agenda.
- b. The applicant shall prepare and submit to the City Clerk fifteen (15) copies of a preliminary PUD site plan for a PUD, meeting the requirements of *SECTION 86-265: PRELIMINARY PUD SITE PLAN SUBMITTAL REQUIREMENTS*, at least thirty (30) days prior to the meeting at which the Planning Commission shall first review the request; twenty-one (21) days for an applicant who has had a pre-application workshop on the proposal within sixty (60) days of the preliminary PUD site plan submittal. The City Manager shall promptly transmit this plan to the members of the Planning Commission.
- c. The Planning Commission shall review the preliminary PUD site plan, and shall conduct a public hearing in accordance with the *Michigan Zoning Enabling Act, Section 125.3503(5)*. During this review, the Planning Commission may request additional materials supporting the PUD proposal, or recommend modifications or conditions based on the standards of *SECTION 102-266: STANDARDS FOR APPROVAL OF PRELIMINARY PUD SITE PLAN*. The Planning Commission shall then, within sixty (60) days of the submittal, make a recommendation on the preliminary PUD site plan to the City Council. The applicant shall incorporate these modifications or conditions recommended by Planning Commission prior to the review by the City Council.
- d. Following receipt of the Planning Commission recommendations, the City Council shall take final action on said plan and petition within ninety (90) days of the date it receives a report from the Planning Commission or such reasonable extension of time as may be necessary for adequate review. A PUD rezoning is discretionary on the part of the City and the City Council is not obligated to approve a PUD rezoning request unless, in its opinion, the proposal meets the purpose and requirements of this ordinance.
- e. If any conditions are imposed upon the approval of the preliminary PUD site plan by the City Council, a list of those conditions shall be made part of the approval and shall be reflected in the final PUD site plan.
- f. Approval of the preliminary PUD site plan by the City Council shall confer upon the owner the right to proceed through the subsequent PUD plan review phases for a period not to exceed three (3) years from date of approval. This period may be extended by the City Council for one (1) additional three (3) year period.
- g. The applicant shall submit fifteen (15) copies of detailed final site plans to the City Clerk, as described in *SECTION 86-267: FINAL PUD SITE PLAN SUBMITTAL REQUIREMENTS*, for all, or any phase of, the approved preliminary PUD site plan at least thirty (30) days prior to the Planning Commission meeting at which the Planning Commission shall first review the request.
- h. Upon submission of all required materials and fees, the Planning Commission shall review such and shall approve, deny, or approve with conditions, in accordance with the standards and regulations of this Zoning Ordinance, the final PUD site plan.

- i. If the final PUD site plan was approved with conditions, the applicant shall submit a revised site plan to the City Manager in accordance with *ARTICLE 5, DIVISION 1, SECTION 86-224: PROJECTS ELIGIBLE FOR SKETCH PLAN REVIEW AND ADMINISTRATIVE APPROVAL* for approval prior to the issuance of any building permits.
- j. If the approved preliminary PUD site plan indicated that the proposed development was to occur in phases, final site plan approval may be granted on each phase of the development, provided that each phase contains all the necessary components to insure protection of significant natural, historical, and architectural features, and the health, safety, and welfare of the users of the PUD and the residents of the surrounding area. Subsequent phases shall also follow the process for final PUD site plan outlined in this Article.
- k. In the B-1 District, the City Council may, upon recommendation of the Planning Commission, approve an overall PUD plan for multiple sites and then require each subsequent developer to follow the process for final PUD site plan outlined in this Article. Depending upon the size and complexity of the project, the City Council may then require each developer to enter into a separate PUD Agreement for each individual site or series of projects.

Sec. 86-265 Preliminary PUD Site Plan Submittal Requirements

The preliminary PUD site plan shall set forth the proposed uses to be developed in the PUD. The following specific information shall be provided on a site plan:

- a. Proof of Ownership. Current proof of ownership of the land to be utilized or evidence of a contractual ability to acquire such land, such as an option or purchase agreement.
- b. Written Documentation. Written documentation that the proposal meets the standards of *Section - 86-263 Qualifying Conditions*.
- c. Application Form and Fees. A completed application form, supplied by the Building Official/Zoning Administrator, and an application/review fee; a separate escrow deposit may be required for administrative charges to review the PUD submittal.
- d. Sheet Size. Sheet size of submitted drawings shall be at least twenty-four (24) inches by thirty-six (36) inches, with graphics at an engineer's scale of one (1) inch equals twenty (20) feet for sites of twenty (20) acres or less; and one (1) inch equals one hundred (100) feet or less (i.e. one (1) inch equals twenty (20) to one hundred (100) feet) for sites over twenty (20) acres.
- e. Cover Sheet. Cover sheet providing:
 - 1. Applicant's name.
 - 2. Name of the development.
 - 3. Preparer's name and professional seal of architect, engineer, surveyor, or landscape architect indicating license in the State of Michigan.
 - 4. Date of preparation and any revisions.
 - 5. North arrow.
 - 6. Property lines and dimensions.
 - 7. Complete and current legal description and size of property in acres.
 - 8. Small location sketch of the subject site and area within one-half (1/2) mile, and scale.
 - 9. Zoning and current land use of applicant's property and all abutting properties and of properties across any public or private street from the PUD site.
 - 10. Lot lines and all structures on the property and within one hundred (100) feet of the PUD property lines.

CITY OF VASSAR ZONING ORDINANCE

11. Location of any vehicle access points on both sides of the street within one hundred (100) feet of the PUD site along streets where vehicle access to the PUD is proposed.
- f. PUD Site Plan. A site plan sheet indicating:
1. Existing locations of all natural, historical, and architectural features, existing drainage patterns, surface water bodies, floodplain areas, MDEQ designated or regulated wetlands with supporting documentation, wetland areas two (2) or more acres in size, and a tree survey indicating the location and diameter (in inches, measured four (4) feet above grade) of "landmark" trees.
 2. Existing and proposed topography at five (5) foot contour intervals, and a general description of grades within one hundred (100) feet of the site.
 3. Dimensions of existing and proposed right-of-way lines, names of abutting public streets, proposed access driveways and parking areas, and existing and proposed pedestrian and/or bicycle paths.
 4. Existing buildings, utility services (with sizes), and any public or private easements, noting those which will remain and which are to be removed.
 5. Layout and typical dimensions of proposed lots, footprints, and dimensions of proposed buildings and structures; uses with the acreage allotted to each use. For developments with residential components: the number, type, and density of proposed housing units.
 6. General location and type of landscaping proposed (evergreen, deciduous, berm, etc.) noting existing trees and landscaping to be retained.
 7. Size, type, and location of proposed identification signs.
- g. Site Analysis. A separate plan sheet indicating locations of significant natural, historical, and architectural features, including landmark trees, that will be designated as "areas not to be disturbed" and secured through installation of a snow fence, other fencing, or police line during development of the PUD, including acreage of designated areas.
- h. PUD Development Agreement. A draft written PUD Development Agreement specifying all the terms and understandings of the PUD development as prescribed in *SECTION 86-57: FINAL PUD SITE PLAN SUBMITTAL REQUIREMENTS* may be required when deemed necessary by the Planning Commission.
- i. Multi-Phased PUD. If a multi-phase PUD is proposed, identification of the areas included in each phase; for residential uses identify the number, type, and density of proposed housing units within each phase.
- j. Additional Information. Any additional graphics or written materials requested by the Planning Commission or City Council to assist the City in determining the appropriateness of the PUD such as, but not limited to: aerial photography; market studies; impact on public primary and secondary schools and utilities; traffic impact using trip generation rates recognized by the Institute of Transportation Engineers (ITE) for an average day and peak hour of the affected roadways; impact on significant natural, historical, and architectural features and drainage; impact on the general area and adjacent property; description of how property could be developed under the regulations of the underlying district; preliminary architectural sketches; and estimated construction cost.

Sec. 86-266 Standards for Approval of Preliminary PUD Site Plan

Based upon the following standards, the Planning Commission may recommend denial, approval, or approval with conditions, and the City Council may deny, approve, or approve with conditions the proposed PUD.

CITY OF VASSAR ZONING ORDINANCE

- a. The uses proposed shall be consistent with the City's adopted Master Plan. Such uses must have a beneficial effect, in terms of public health, safety, welfare, or convenience, on present and future potential surrounding land uses. The uses proposed must not adversely affect the public utility and circulation system, surrounding properties, or the environment. The public benefit shall be one which could not be achieved under the regulations of the underlying district alone or that of any other zoning district.
- b. Any amendments to the dimensional standards of this Ordinance, such as lot sizes, setbacks, height limits, required facilities, buffers, open space, permitted sign area, and other similar dimensional standards shall be reviewed and approved by the Planning Commission.
- c. Any increase in the density requirements of the underlying zoning district must be approved by the City Council upon recommendation of the Planning Commission and be included under preliminary review of the site plan.
- d. The number and dimensions of off-street parking shall be sufficient to meet the minimum required by *ARTICLE 4, DIVISION 1: OFF-STREET PARKING AND LOADING STANDARDS*. However, where warranted by overlapping or shared parking arrangements, the Planning Commission or City Council may reduce the required number of parking spaces in accordance with *ARTICLE 4, DIVISION 1, SECTION 86-181: GENERAL REQUIREMENTS*.
- e. All streets and parking areas within the PUD shall meet the minimum construction and other requirements of City ordinances, unless modified by City Council.
- f. Safe, convenient, uncongested, and well defined vehicular and pedestrian circulation within and to the site shall be provided. Drives, streets, and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points.
- g. Sidewalks shall be provided in accordance with *ARTICLE 3, DIVISION 1, SECTION 86-164: SIDEWALKS, BIKEPATHS, AND OTHER PEDESTRIAN PATHWAYS*.
- h. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. Plantings and other landscape features shall exceed the standards of *ARTICLE 4, DIVISION 3: LANDSCAPE STANDARDS AND TREE REPLACEMENT*.
- i. Judicious effort shall be used to preserve significant natural, historical, and architectural features and the integrity of the land, including MDEQ regulated and nonregulated wetlands.
- j. Surface water shall be retained on the site wherever possible.
- k. The site shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material. The final determination as to adequacy of, or need for, lateral support shall be made by the City Manager. Public water and sewer facilities shall be available or shall be provided by the developer as part of the site development.
- l. Building design shall be of a high quality, exceeding the standards of *ARTICLE 3, DIVISION 1, SECTION 86-153: NON-RESIDENTIAL DESIGN REQUIREMENTS*.

Sec. 86-267 Final PUD Site Plan Submittal Requirements

The final PUD site plan shall include all the following information, unless the City Manager determines that some of the required information is not reasonably necessary for the consideration of the PUD:

- a. All information required for site plan submittal in accordance with *ARTICLE 5, DIVISION 1, SECTION 86-246: SITE PLAN SUBMITTAL REQUIREMENTS*.
- b. Any additional graphics or written materials requested by the Planning Commission to assist in determining the impacts of the proposed site plan, including, but not limited to, economic or market studies; impact on public utilities; traffic impacts; impact on significant natural, historical, and architectural features and drainage; impact on the general area and adjacent property; and estimated construction cost.
- c. A proposed written Development Agreement specifying all the terms and understanding of the PUD development including:
 1. A survey of the acreage comprising the proposed PUD.
 2. All conditions which the PUD approval is based, with reference to the approved preliminary PUD plan and a description of all deviations from City regulations which have been requested and approved.
 3. The manner of ownership of the developed land.
 4. The manner of the ownership and of dedication or mechanism to protect any areas designated as common areas or open space.
 5. Provisions assuring that those open space areas shown on the plan for use by the public or residents of the development will be or have been irrevocably committed for that purpose; the City may require conveyances or other documents to be placed in escrow to accomplish this.
 6. Satisfactory provisions have been made to provide for the future financing of any improvements shown on the plan for site improvements, open space areas, and common areas which are to be included within the development and that maintenance of such improvements is assured by a means satisfactory to the City Council.
 7. The cost of installing and maintaining all streets and the necessary utilities has been assured by a means satisfactory to the City Council.
 8. Provisions to ensure adequate protection of natural features and assurance for replacement of any trees and woodlands.
 9. Any other concerns raised by the Planning Commission or City Council regarding the construction and maintenance of the PUD.
 10. The preliminary PUD plan shall be incorporated by reference and attached as an exhibit.
- d. A written draft of PUD Design Guidelines specific to the PUD. Such document shall include provisions for site layout, access, vehicular and pedestrian circulation, parking, screening, building design and architecture, landscaping, open space, lighting, and signage. The Design Guidelines shall also include any variations to the dimensional standards of this Ordinance, such as density, lot sizes, setbacks, height limits, required facilities, buffers, open space, permitted sign area, and other similar dimensional standards.

Sec. 86-268 Standards for Approval of Final Site Plan

The Planning Commission shall use the standards for approval of *ARTICLE 5, DIVISION 1, SECTION 86-227: STANDARDS FOR SITE PLAN APPROVAL*, and any design requirements developed specifically for the PUD by the City Council, in reviewing the final PUD site plan.

Sec. 86-269 Conditions of Approval

The Planning Commission may attach conditions to the final PUD site plan approval to meet the intent of this Article and *ARTICLE 5, DIVISION 1, SECTION 86-229: CONDITIONS OF SITE PLAN APPROVAL*.

Sec. 86-270 Validity of Approved Final PUD Site Plan

- a. Project Commencement. Construction on the approved final site plan, or for a phase thereof, shall be commenced and proceed in a reasonably diligent manner, within twelve (12) months of approval. If the PUD has not commenced and proceeded beyond site grading to include, at a minimum, installation of footings or foundations and underground utilities at the end of that twelve (12) month period, then the site plan shall be invalid and void.
- b. Project Completion. The approved site plan shall remain valid for a three (3) year period following the date of final site plan approval, provided that the requirements of *paragraph a.* above are met.
- c. Extensions. The three (3) year period for project completion may be extended for one (1) year, if applied for by the petitioner and granted by the Planning Commission in writing following public notice and a public hearing. Failure on the part of the owner to secure the written extension shall result in a stoppage of all construction.

Sec. 86-271 Deviations from Approved Final PUD Site Plan

- a. Deviations and amendments from the approved final PUD site plan shall be reviewed and approved in accordance with *ARTICLE 5, DIVISION 1, SECTION 86-231: DEVIATIONS FROM APPROVED SITE PLAN*.
- b. Should the Planning Commission determine that the modifications to the final PUD site plan significantly alter the intent of the preliminary PUD site plan, a new submittal illustrating the modification shall be required and must be approved by the City Council as a new preliminary PUD plan.
- c. Any amendment to the PUD Design Guideline requirements established specifically for the PUD by the City Council shall be adopted by resolution of the City Council, upon recommendation of the Planning Commission, and will not require amendment of this Article of the Zoning Ordinance. Amendments to this document must be reviewed and approved in accordance with paragraph a. above.
- d. Any deviation from the approved PUD site plan, except as authorized in *SECTION 86-161, DEVIATIONS FROM APPROVED FINAL PUD SITE PLAN* shall be considered a violation of this Article and treated as a misdemeanor. Further, any such deviation shall invalidate the PUD designation.

Sec. 86-272 Appeals and Variances

Amendments, appeals, and variances related to a PUD cannot be taken to the Zoning Board of Appeals in a PUD. Amendments can only be granted by the Planning Commission when it is determined that the requested amendments are in keeping with the overall purpose of PUD, as identified in *SECTION 86-260: INTENT* and improve the quality of the development.

Sec. 86-273 PUDs Approved Prior to this Ordinance

All properties zoned as PUD under the zoning district classifications in place prior to the adoption of this Ordinance shall be treated as follows:

- a. Approved residential PUDs shall be rezoned to the appropriate residential district in conformance with their approved density. These and future such locations will be noted on the map as being approved PUD overlay zone districts. Any changes to the preliminary PUD plan and/or final site plans or revisions shall be regulated by this Ordinance.
- b. Approved preliminary PUD site plans for mixed use PUDs shall be considered zoned as a mixed-use PUD in the O-S, Office Service District. The approved uses within such PUDs shall be in accordance with the approved locations of commercial, office, and residential uses as designated on the preliminary PUD site plan.
- c. Any changes to the uses and/or their locations as approved on a mixed use preliminary PUD plan shall meet *SECTION 86-266, STANDARDS FOR APPROVAL OF PRELIMINARY PUD SITE PLAN*. The applicant shall present graphics to illustrate the requested change, submit written materials documenting the need for the change and the adherence with the overall approved PUD concept, and submit updated copies of any traffic, environmental, or market studies which the Planning Commission or City staff considered necessary to review the impacts of the proposed change.
- d. All final site plans or revisions to final site plans for PUDs approved prior to the adoption of this Ordinance shall be regulated and reviewed in accordance with this Article.

Section 86-274 Tiny House Planned Unit Development (THPUD)

- a. Purpose. The purpose of the Tiny House Planned Unit Development (THPUD) is to:
 1. Provide a housing type that responds to changing household sizes, ages and financial security (e.g., retirees, small families, single-person households, young professional);
 2. Provide opportunities for ownership of small, detached units within a neighborhood;
 3. Encourage creation of more usable space for residents of the development through flexibility in density and lot standards;
 4. Support the growth management goal of more efficient use of residential land;
 5. Contribute to a strong sense of community through cluster arrangement;
 6. Provide guidelines to ensure compatibility with surrounding uses; and
 7. Allow for residential development in areas with environmental constraints like floodplains and woodlands.
- b. Definition. A tiny house shall be defined as:
 1. A single-family dwelling of conventional modern construction and built to all Michigan building and sanitary codes;
 2. Placed on a permanent foundation;
 3. Has a total square footage of between 500 and 1,200;
 4. Is sited on legally created parcel, subject to setbacks of this ordinance;
 5. Is connected to water or well and sewer or septic; and
 6. Is Only permitted as part of a Planned Unit Development (PUD).

CITY OF VASSAR ZONING ORDINANCE

- c. Applicability. Tiny Housing Planned Unit Developments are allowed, as follows:
1. Within single-family zones, RA-1 and RA-2;
 2. On single-family (RA-1 and RA-2) zoned parcels adjacent to multifamily, commercial and industrial zoned parcels, as a transition to multifamily, commercial and industrial uses, including across the street on a case-by-case basis, approved by the director; and
 3. Within multifamily zoned properties (RM-1 and RM-2).
- d. Accessory dwelling units. Accessory dwelling units (ADUs) shall not be permitted in tiny housing developments.
- e. Lot Requirements.
1. Area. The minimum lot area per dwelling unit shall be of twelve hundred (1200) square feet. Maximum lot area per dwelling unit shall be three thousand (3000) square feet.
 2. Maximum lot coverage 40% for structure, porches and drives 60%
 3. Lot Width. Minimum width per lot shall be 18 feet. Maximum width per lot 30 feet.
 4. (d) Lot Depth. Minimum length per lot 50 feet. Maximum length per lot 100 feet
- f. House Site Arrangement.
1. Tiny housing developments shall contain a minimum of four tiny houses, with a maximum of 12 tiny houses per grouping. A development may contain multiple groupings.
 2. Groups of tiny housing shall be arranged on at least two sides of a common open space, or a configuration as otherwise approved by the director.
 3. On a lot to be used for a tiny housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted tiny density.
- g. Height Limit and Roof Pitch.
1. The height limit permitted for structures in tiny housing developments shall be 18 feet.
 2. The ridge of pitched roofs with a minimum slope of six to 12 (6:12) may extend up to 28 feet. The ridge of pitched roofs with a minimum slope of four to 12 (4:12) may extend up to 23 feet. All parts of the roof above 18 feet shall be pitched.
- h. Lot Coverage and Floor Area.
1. The maximum lot coverage permitted for buildings in tiny housing developments shall not exceed 60 percent.
 2. The maximum main floor area is 700 square feet.
 3. The total floor area of each tiny shall not exceed either one and one-half times the area of the main level or 1,200 square feet, whichever is less. Enclosed space in a tiny located either above the main level and more than 12 feet above finished grade, or below the main level, shall be limited to no more than 50 percent of the enclosed space of the main level, or 400 square feet, whichever is less. This restriction applies regardless of whether a floor is proposed in the enclosed space, but shall not apply to attic or crawl spaces (less than six feet in height).
 4. Attached garages shall be included in the calculation of total floor area.
 5. Areas that do not count as total floor area are:
 - i. Unheated storage space located under the main floor of the tiny.
 - ii. Attached roofed porches.

CITY OF VASSAR ZONING ORDINANCE

- iii. Detached garages or carports.
 - iv. Spaces with the ceiling height of six feet or less measured to the exterior walls, such as a second floor area under the slope of a roof.
 - v. The total square foot area of a tiny dwelling unit may not be increased under any circumstance.
- i. Setbacks and Yards.
- 1. Yards. The front yard setback for tiny housing developments shall be 10 feet.
 - 2. Rear Yards. The minimum rear yard for a tiny housing development shall be 10 feet.
 - 3. Side Yards. The minimum required side yard shall be 10 feet.
 - 4. Interior Separation for Tiny Houses in Clusters. The minimum separation shall be 10 feet.
- j. Required Open Space.
- 1. Quantity of Open Space. A minimum of 400 square feet per unit of landscaped open space is required. This quantity shall be allotted as follows:
 - i. A minimum of 200 square feet per unit shall be private usable open space (setbacks and common open space shall not be counted as private open space); and
 - ii. A minimum of 150 square feet per dwelling unit shall be provided as common open space. (Setbacks and private open space shall not be counted as common open space.)
 - 2. Critical areas and buffers shall not be counted as open space.
 - 3. Each house shall abut its private open space. A fence or hedge not to exceed three feet may separate private open space from common open space.
- k. Development Standards. Tiny houses shall be oriented around and have their main entry from the common open space.
- 1. Private usable open space shall be provided in one contiguous area with a minimum area of 200 square feet. No horizontal dimension of the open space shall be less than 10 feet and shall be oriented toward the common open space, as much as possible.
 - 2. Required common open space shall be provided at ground level in one contiguous parcel. Each tiny house shall abut the common open space, and the common open space shall have tiny houses abutting at least two sides.
 - 3. The minimum horizontal dimension for common open space shall be 10 feet.
 - 4. Each tiny house shall have a covered porch or entry of at least 60 square feet with a minimum dimension of six feet on any side.
 - 5. Secondary entrances facing a street or sidewalk shall have a five-foot by five-foot porch.
 - 6. Separation of Identical Building Elevations. Units of identical elevation types must be separated by at least two different elevations. This will result in at least three different elevation plans per cluster. No two adjacent structures shall be built with the same building size or orientation (reverse elevations do not count as different building elevations), facade, materials, or colors.
 - 7. Variety in Building Design. A variety of building elements and treatments of tiny houses and garage or carport must be incorporated. Structures must include articulation, change in materials or texture, windows, or other architectural feature as shown in the city's design standards. No blank walls are allowed.
 - 8. Five-foot-wide pedestrian pathways (sidewalks) must be included to provide for movement of residents and guests from parking areas to homes and other amenities.

- I. Parking. Parking shall be:
 - 1. Located on the tiny housing development property.
 - 2. Located in clusters of not more than five adjoining spaces.
 - 3. Screened from public streets and adjacent residential uses by landscaping or architectural screening.
 - 4. Parking is allowed between or adjacent to structures only when it is located toward the rear of the principal structure and is served by an alley or private driveway.
 - 5. Off-street parking requirements are as follows:
 - a) Units under 700 square feet: one space per unit;
 - b) Units between 700 and 1,200 square feet: one and one-half spaces per unit
 - 6. At least one parking stall per dwelling will be enclosed or covered.
 - 7. Access to parking shall be from a private drive that is accessible from a public road. The private drive must meet the city's engineering design and development standards.
 - 8. Not located in the front yard.

- m. Covered Parking. Covered parking areas should be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single-family character along public streets.
 - 1. For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
 - 2. Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which precludes the use of the parking spaces for vehicles is prohibited.
 - 3. The design of carports must include rooflines similar and compatible to those of the dwelling units within the development.

- n. Screening Requirements.
 - 1. Boundaries between tiny dwellings and neighboring properties shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or otherwise treated (i.e., through setbacks or architectural techniques) to meet the intent of this section.
 - 2. Common waste and other storage receptacles shall not be placed in the front yard setback area.
 - 3. Common waste and other storage receptacles shall be architecturally screened and/or screened with landscaping so as to mask their appearance to residents, adjacent property owners, and the public rights-of-way.

- o. Requests for Modifications to Standards. The City Manager or Zoning Administrator may approve minor modifications to the general parameters and design standards set forth in this chapter, provided the following criteria are met:
 - 1. The site is constrained due to unusual shape, topography, easements, flood prone, or sensitive areas.
 - 2. The modification is consistent with the objectives of this chapter.
 - 3. The modification will not result in a development that is less compatible with neighboring land uses.

- p. Maintenance of open space and utilities.
 - 1. Before Final PUD approval is granted, the applicant shall submit covenants, deeds and homeowners association bylaws and other documents guaranteeing maintenance and

CITY OF VASSAR ZONING ORDINANCE

common fee ownership of public open space, community facilities, private roads and drives, and all other commonly owned and operated property. These documents shall be reviewed, approved, and recorded at the County.

- q. Application and Review Procedure for Preliminary Tiny House PUD and Final Tiny House PUD Site Plan.
- r. Application and review shall be consistent with *SECTION 86-24 THROUGH SECTION 86-272*.