

SECTION 8.3.9 DENSITY TRANSFER

Acme Township encourages flexibility in the location and layout of development, within the overall density standards of this Ordinance. The Township therefore will permit residential density to be transferred from one parcel (the "sending parcel") to another (the "receiving parcel") through the creation of permanent open space on the sending parcel, as provided below. All sending parcel(s) and receiving parcel(s) for a particular project shall be considered together as one planned unit development.

- (1) Requirements for density transfer. All density transfers require a Special Use Permit and a planned unit development approval from the Township Board, upon recommendation from the Planning Commission as part of a Conservation Development application. The procedures and requirements for the planned unit development approval of a Conservation Development with density transfer are coextensive with the procedures and requirements for special use permit approval in Section 8.1, plus the specific requirements for Conservation Developments and the procedures, requirements and approval standards of this section. A Special Use Permit application for a density transfer shall be signed by the owners (or their authorized representatives) of the sending and receiving parcels. The Special Use Permit application shall show a proposed development plan for the receiving parcel (subdivision and/or Site Plan) as well as density calculations for both the sending and receiving parcels, prepared according to the provisions of Subsection 8.3.2(1). In reviewing an application for density transfer, the Township shall first determine the number of allowable dwelling units permitted on the receiving parcel. The Township shall then determine the number of dwelling units available to transfer from the sending parcel(s). The Township Board, upon recommendation from the Planning Commission, may then grant a Special Use Permit allowing the transfer to the receiving parcel of some or all of the allowable residential dwelling units from the sending parcel(s). The reduction in allowable density on the sending parcel shall be accomplished through the preservation of a proportionate amount of open space on the sending parcel through the procedures in Section 8.3.8 for preserving land in its undeveloped state. The sending parcel may not contain more than 10% wetlands.

- (2) Conditions for eligibility and requirements for approval. The Township Board, upon recommendation from the Planning Commission shall not approve any residential density transfer unless it finds that:
 - a. All requirements for the granting of a Special Use Permit have been satisfied.
 - b. The addition of the transferred dwelling units to the receiving parcel will not increase the maximum allowable density under Section 8.3.2(1) by more than 50% and will not adversely affect the area surrounding the receiving parcel.
 - c. The density transfer will benefit the Township by protecting developable land with conservation value on the sending parcel(s).
 - d. The density transfer will be consistent with the Township Master Plan.
 - e. As a condition of approval of the density transfer, a conservation easement on the sending parcel(s) satisfying the requirements of Section 8.3.8(5) and (7) above shall be executed and recorded in the office of the Register of Deeds, creating open space in the form of land preserved in its undeveloped

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state that is equal in size to the total acreage of the number of buildable lots that were sent by the sending parcel to the receiving parcel. This reduction in density shall not prevent the owner of the sending parcel from developing the remaining portion of the sending parcel under either an open space or conventional development plan, provided that the open space created in the density transfer is preserved and all other zoning ordinance requirements are satisfied.