

OPEN SPACE PRESERVATION DEVELOPMENT ORDINANCE

SECTION X.1 INTENT:

The purpose of an Open Space Preservation Development (OSPD) is to allow property zoned for residential uses to be developed with the same number of dwelling units but on smaller parcels than would otherwise be required by this Zoning Ordinance, in return for the preservation of part of the property in an undeveloped state.

SECTION X.2 STANDARDS:

1. **Density Calculation.** The number of permitted dwelling units in an OSPD shall be no greater than if the subject property were subdivided based upon the minimum parcel size per dwelling unit as specified in this Zoning Ordinance for the respective residential use in its respective Zoning District.
2. **Reduction of Minimum Parcel Size.** Minimum parcel size per dwelling unit in an OSPD shall be reduced to half that as specified in this Zoning Ordinance for the respective use in its respective Zoning District.
3. **Required Open Space.** At least half of the subject property in an OSPD, as designated by the landowner, shall remain perpetually in an undeveloped state, as that phrase is defined in this Zoning Ordinance, by means of a conservation easement. Otherwise unbuildable areas such as wetlands shall not qualify as land in an undeveloped state for purposes of meeting this standard.
4. **Conservation Easement.** The conservation easement shall be granted by the landowner to the Township or to a non-profit conservation organization approved by the Township Board. The conservation easement must be approved by the Township Board in order to fulfill the requirements of this Ordinance. The Township Board may require that the conservation easement be enforceable by the Township if the Township is not the holder of the conservation easement. The conservation easement shall be recorded by the landowner at the Register of Deeds.

SECTION X.3 PROCEDURE:

The determination that the above standards have been satisfied by an OSPD shall be made by the Township as part of its review for the proposed land division, platted subdivision, or condominium subdivision.

NOTES: Intended to comply with the Michigan Zoning Enabling Act's requirement that local governments, under certain circumstances, provide a open space preservation development option in their zoning ordinances. See MCL 125.3506.
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