



**Pittsfield Charter Township**  
*Department of Utilities & Municipal Services*

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**Mandy Grewal, Supervisor**

**MEMORANDUM**

**TO:** Pittsfield Township Planning Commissioners

**FROM:** Ben Carlisle, AICP  
Laura Kreps, AICP

**DATE:** June 9, 2020

**SUBJECT:** Revised Open Space Preservation Development Option (OSPDO) Ordinance

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The Planning Commission considered changes to the Open Space Preservation Development Option (OSPDO) at the June 4<sup>th</sup> meeting. During the meeting there was great discussion and questions. In this memo, I've tried to summarize the discussion and provide answers to the questions that were asked.

**Summary of Discussion:**

There appeared to be consensus from the Planning Commission on:

- Permitting OPSDO development in urban service areas.
- Permitting OPSDO development for multiple family residential.
- Allowing the Planning Commission to grant deviations from dimensional (setbacks, lot coverage, etc) requirements.
- Providing a 20% density bonus to encourage the use of the OPSDO, but such bonus shall be discretionary based on Planning Commission review.

**Questions Raised During Discussion:**

Listed below are questions raised during the Planning Commission discussion and our subsequent response:

1. Is this the appropriate tool to encourage/require the type of development the Township desires?

It is recognized that the use of OPSDO, is a useful tool for development in Pittsfield, as it promotes smart growth and preserves valuable natural resources, open space and

agricultural land. However, in the past ten (10) years, there has only been two (2) OSPDO developments in the Township. The purpose of the proposed amendment was to reduce unnecessary restrictions, such as locational restrictions, but also incentivize the development community to use this tool.

Other than the bonus density and flexibility for Planning Commission deviations, all the other amendments are offer the ability to use the OSPDO in locations that were not previously permitted such as on small lots, within the public utility portions of the township, and for multiple family developments.

Other development options, such as a PUD, should not be used when we have an appropriate tool such as the OSPDO in place. In other words, the use of a PUD is unnecessary for open space developments, when OSPDO is an appropriate tool already in place. Furthermore, development types that we encourage or wish to see more off should be made procedurally easier to achieve rather than more difficult. A PUD is a form of rezoning that has a much higher procedural bar.

2. Is a one-acre minimum to limited in lot area. Should it be increased?

The current ordinance requires a minimum of five (5) acres for an OSPDO. This large parcel acreage minimum is appropriate in the non-utility areas of the township, however if the township desires to see more OSPDO especially in the more urban areas, the five (5) acre minimum is a high bar. The purpose of this amendment is to reduce that regulatory hurdle.

However after further consideration, I feel that one (1) acre site is probably unrealistic to achieve a proper OSPDO development. As such, I recommend increasing the proposed minimum lot size from one (1) to three (3) acres. A three (3) acre is achievable both in the more agricultural and urban portions of the township.

3. Should the Planning Commission be allowed to vary height?

Height is often the most significant concern of property owners adjacent to newly proposed development. Issues such as a reduced setback, or lot coverage, can be addressed with an increase in screening or increased landscaping. Camouflaging or mitigating height is much more difficult. I will suggest the Planning Commission consider if they want the authority to allow for a height deviation.

4. Should the Planning Commission allow for a density bonus?

As I noted, the purpose of the ordinance amendments was to both reduce unnecessary regulatory requirements but also incentives the use of the tool. As currently written there is no direct incentive to use the OSPDO tool. The developer will have reduced infrastructure costs due to less roads and utility pipes, but in the end density and units it is often what

developers look for as incentives. If the township desires to see more OSPDO, an incentive may be best way to achieve this.

That being said, I have amended the draft to state that the up to a maximum 20% density bonus is purely discretionary based on the Planning Commission, and any density bonus shall be commensurate to the proposed benefit achieved by the development. I have put in language to note the discretionary nature of the bonus and the “types” of benefits considered including preservation of natural features, provision of recreation facilities, or preservation of agricultural land. I am open to suggestions from the Planning Commission of potential benefits that would qualify for increased density.

5. Why was 30% the minimum open space required to qualify for an OSPDO.

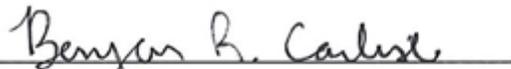
Currently there is no minimum percentage of open space that must be provided to qualify for an OSPDO. The only percentage distinction is that if you provide less than 50% open space you are reviewed as a conditional use. Part in parcel with the proposed regulatory flexibility and potential density bonus, I want to establish a minimum open space percentage to qualify for an OSPDO.

6. Does approving this ordinance lock future Township Boards or Planning Commissions?

Untimely the authority to amend the zoning ordinance lies with the Township Board. The Planning Commission is only a recommending body on this matter. Any decision by this Township Board, based upon a recommendation from this Planning Commission, would not bind a future Boards, as they may choose to amend the zoning ordinance in the same process that this Board and Planning Commission are following.

We look forward to discussing this item with the Planning Commission on June 18, 2020.

Sincerely,



CARLISLE/WORTMAN ASSOC., INC.

Benjamin R. Carlisle, AICP, LEED AP

Principal