

CHAPTER XV

117.1500 "PUD" PLANNED UNIT DEVELOPMENT ZONE

117.1501 Description and purpose.

Sec. 15.01. A development constructed on a tract of at least five (5) acres, planned and developed as an integral unit, and consisting of a combination of residential and nonresidential uses on land within a PUD district. This zone shall be established only upon application by the owner of the property for non-ordinary uses. This zone shall also be available for areas where problems of terrain may require special treatment on matters of setback or side and rear yard or land area restrictions. Except as hereinafter stated, the administrative provisions as stated in Section 18.06-D, F, and G shall apply.

117.1502 Use regulations and procedure

Sec. 15.02

- A. The owner of any parcel of land which is situated in an area which is not substantially fully developed, or of fully developed land on which it is proposed to raze buildings and redevelop may make application to the Planning Commission for a change of zoning to the "PUD" Zone. Such application shall be accompanied by a development plan which shall include the following:
1. A topographic map showing contour lines at five (5) foot intervals.
 2. A plot plan which shall show the following:
 - a. The location of all proposed buildings.
 - b. All non-enclosed uses.
 - c. All drainage.
 - d. Parking.
 - e. Loading and traffic handling facilities.
 - f. All screening and landscaping.
 - g. All exterior lighting and signs.
 - h. Sewage disposal system.

3. A detailed statement of the proposed use or uses to be made of the land. The statement shall include a legend detailing the density of building, dwelling units, structures, and other amenities.
4. Floor plans and elevation drawings showing architectural style of all buildings.
5. Where the proposed development includes extraction of natural resources, the plans shall indicate the proposed final contours of the land and quantity of material to be removed.

Such portions of the development plan may be waived by the Planning Commission if, because of the nature of the proposed use, the same would be unnecessary and serve no useful purpose. Additionally, the Planning Commission may allow preapplication conferences on a proposed "PUD" and accept preliminary site plans before the public hearing.

- B. At any public meeting, the Planning Commission shall have the right to recommend:
 1. Such greenbelt as the Planning Commission shall deem necessary to protect the adjoining properties not to exceed one hundred (100) feet in width.
 2. Such setback from the right-way not to exceed one hundred (100) feet as the Planning Commission shall deem necessary for the protection of the public health, safety and general welfare.
 3. Such yards and open spaces as the Planning Commission deems necessary under the circumstances of the particular case to protect the health, safety and general welfare of the public.
 4. Such area for parking motor vehicles on private property of the applicant not to exceed in area a ratio three (3) square feet of parking area for each square foot of building area devoted to the specified unique use.
 5. The location and size of signs as determined by standards set forth in the general provisions of this Ordinance.
 6. Paved or blacktopped streets be provided.

7. All utilities be underground.
 8. Adequate lighting be provided.
 9. Premises be connected to public sewer and water supply as each becomes available.
 10. Such fence and/or other requirements it deems necessary and proper to prevent debris from littering the premises involved and/or neighboring property.
 11. Such traffic control devices, including acceleration and deceleration lanes, as may be deemed advisable to protect the health, safety and general welfare of the public.
- C. At any public meeting prior to rezoning, the Township Board may recommend to the Planning Commission that such regulations as said Township Board deems necessary to protect the health, safety and public welfare of the residents of the Township, be imposed by said Planning Commission. The recommendations so made by said Township Board shall be predicated on the standards established in Section 15.02-B.
- D. The Planning Commission shall meet prior to the adoption by the Township Board of the rezoning and shall determine which of the recommendations made by the Planning Commission and the Township Board, under Section 15.02-B, shall be required and may make any other reasonable requirements which it deems advisable under the particular circumstances involved to protect the public health, safety and general welfare. In making its determination, the Planning Commission shall make other considerations necessary to insure:
1. consistency with and promote the intent and purpose of the Ordinance;
 2. that the "PUD" authorized will be compatible with adjacent uses of land, the natural environment and the capacities of public services and facilities effected by the use; and
 3. consistency with the public health, safety and welfare of the Township.

The Planning Commission or Township Board decision of approval or disapproval of a "PUD" application shall not be appealable to the Board.

117.1503 Performance guarantee.

Sec. 15.03. The Township Board may require a performance guarantee by the applicant to insure completion of improvements associated with a development project. The improvements subject to the performance guarantee are those features or actions considered necessary by the Township to protect natural resources, or the health, safety and welfare of the residents of the Township, the project area, or the project itself. The performance guarantee is exclusive of those improvements that are guaranteed and deposited in accordance with the Subdivision Control Act. The performance guarantee shall be set by the Township Board. The performance guarantee will be deposited with the Township Treasurer prior to the permit issuance. The performance guarantee shall be proportionally rebated at a rate equal to per acre of completion.

117.1504 Fees

Sec. 15.04. The required fees for "PUD" Zoning are a part of the cost of the rezoning action and are in addition to other zoning permit fees. If an application is filed for the purpose of rezoning any property before the Planning Commission at its regular meeting, a fee set by the Township Board, or if rezoning is considered by any other method, a like fee shall be paid by the person or persons having an interest in the premises which is the subject of such proposed rezoning. If an application is filed for the purpose of rezoning any property before the Planning Commission at a special meeting of said Planning Commission, then a fee as set by the Township Board shall accompany said application.

117.1505 Time limit on construction, reversion and rezoning to former classification.

Sec. 15.05. Every application for "PUD" together with all recommendations made under Section 15.02, when approved by the Planning Commission and adopted by the Township Board, either as submitted or resubmitted in modified form shall constitute a binding agreement by the applicant that the use permitted under this Chapter shall be made, completed and operated as shown on the development plan as part of the project in accordance with the provisions of this Chapter and that the area which has been zoned "PUD" shall lose that status and revert to and be resumed to its former zoning classification upon the happening of any of the following events:

- A. If the construction of the approved buildings and improvements shall not be undertaken within one (1) year of the rezoning or within such additional time extension as may be authorized by the Planning Commission.
- B. If, as a result of voluntary sale or conveyance, or any other transfer of ownership whatsoever, the area shall cease to be held, in its entirety, in single or common ownership.