



Application to Amend Existing Planned Unit Development

5371 S. SAGINAW ST. GRAND BLANC, MI 48507 (810) 424-2791

Website: www.grandblancwpmi.gov Email: PZ@grandblancwpmi.gov

Taxes must be paid in full before processing the application. The initial review will require complete application/checklist, check for fees, one (1) copy of physical plans and digital plans. Please note: Additional physical copies of the site plan will be required.

Date: _____

PUD# _____

TO BE COMPLETED BY APPLICANT (please type or print)

Name of Applicant: _____

Contact person: _____ Company Name: _____

Address: _____

Parcel Identification Number: _____

City: _____ Zip: _____

Telephone: _____ Email: _____

Applicant's Signature: _____

Applicant hereby consents to allow Township representatives access to property.

Name of Development: _____

Legal Description: _____

Location of Development: _____

Type of Planned Unit Development: _____ Number of Acres: _____

Residential () Current Zoning: _____

Non-Residential () Date Approved: _____

Mixed () Underlying Zoning: _____

Engineer

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Email: _____

Architect

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Email: _____

ZONING ORDINANCE - ENGAGEMENT OF CONSULTANTS

Grand Blanc Township may engage consultants to assist in reviewing the site plan and exhibits, with the cost for such consultant review borne by the applicant. For any unpaid costs and any uncollected fees, a lien shall be placed against the parcel which is the subject of the site plan.

ARTICLE 3.1.19, SECTION B - QUALIFYING CONDITIONS

Planned unit developments may be allowed as an overlay of any zoning classification upon determination that all of the following criteria are met:

1. The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.

2. The site size is a minimum of twenty (20) acres of contiguous land. A smaller area of property contiguous to an approved PUD may be reviewed for addition to that PUD under the major amendment provisions of this chapter.

3. If a commercial component is part of a residential development proposed on residentially zoned property, excluding accessory retail as discussed under Section 3.1.19.c.ii.a, then the minimum site size shall be 80 acres.

4. The site shall have significant natural or historic features which will be preserved through development under the PUD overlay standards, as determined by the Township Board, following review and recommendation by the Planning Commission; or the PUD will provide a complementary mixture of uses, a variety of housing types or a design that preserves common open space, not possible under the requirements of the underlying zoning district.

5. The planned unit development will result in a Recognizable and Substantial Benefit to the ultimate users of the project and to the community, as demonstrated by the applicant, where such benefit would otherwise be unfeasible or unlikely to be achieved.

6. In relation to development permitted by the underlying zoning, the proposed type and density of use(s) shall not result in an unreasonable increase in traffic or the use of public services, facilities and utilities unless the Applicant proposes to construct adequate public improvements to mitigate the impact of additional demand on public facilities. In addition, the PUD shall not place an unreasonable burden upon the subject and/or surrounding land and/or property owners and occupants.

7. In relation to development permitted by the underlying zoning, the proposed development shall not result in an unreasonable negative impact upon surrounding properties.

8. For a PUD with a mixture of uses, the project shall be designed to achieve a synergistic relationship between the uses. The various uses shall be integrated with pedestrian and vehicular access systems and open spaces. For all PUD projects, site design elements should be developed in a consistent manner throughout the entire site (e.g. landscaping, signs, lighting, etc.).

9. The proposed development shall not have an adverse impact upon the Township's Master Plan and shall be consistent with the Master Plan's spirit and intent, as well as the spirit and intent of the Township's Zoning Ordinance.

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PUD Planned Unit Development Overlay

A. INTENT

The purpose of this Section is to permit coordinated development on appropriate sites with unique conditions such as, but not limited to: significant natural features the property owner and Township wish to preserve; land that exhibits development constraints; or the opportunity to mix compatible uses or residential types, or cluster residential units to preserve common open space and natural features. PUD can also be a tool to allow the creative development of land to promote economic development in accordance with the Township Master Plan.

The PUD overlay standards are provided as a design option to permit flexibility in the regulation of land development; to encourage innovation in land use, form of ownership and variety in design, layout, and type of structures constructed; to preserve significant natural features and open space; to promote efficient provision of public services and utilities; to minimize adverse traffic impacts; to provide adequate housing and employment; to encourage development of recreational amenities; ensure compatibility of design between neighboring properties; 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.

The PUD overlay standards shall not be used as a technique to circumvent the intent of the Zoning Ordinance or to avoid imposition of specific Zoning Ordinance standards. Modifications and departures from generally applicable requirements or the underlying zoning code may be made to provide the applicant and Township with flexibility in design on the basis of the total PUD plan approved by the Township.

B. QUALIFYING CONDITIONS

Planned unit developments may be allowed as an overlay of any zoning classification upon determination that all of the following criteria are met:

- i. The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.
- ii. The site size is a minimum of five (5) acres of contiguous land. A smaller area of property contiguous to an approved PUD may be reviewed for addition to that PUD under the major amendment provisions of this chapter.

- iii. If a commercial component is part of a residential development proposed on residentially-zoned property, excluding accessory retail as discussed under Section 3.1.19.C.ii.a, then the minimum site size shall be forty (40) acres.
- iv. The site may have significant natural or historic features which will be preserved through development under the PUD overlay standards, as determined by the Township Board, following review and recommendation by the Planning Commission; or the PUD will provide a complementary mixture of uses, a variety of housing types or a design that preserves common open space, not possible under the requirements of the underlying zoning district.
- v. The planned unit development will result in a Recognizable and Substantial Benefit to the ultimate users of the project and to the community, as demonstrated by the applicant, where such benefit would otherwise be unfeasible or unlikely to be achieved.
- vi. In relation to development permitted by the underlying zoning, the proposed type and density of use(s) shall not result in an unreasonable increase in traffic or the use of public services, facilities and utilities unless the Applicant proposes to construct adequate public improvements to mitigate the impact of additional demand on public facilities. In addition, the PUD shall not place an unreasonable burden upon the subject and/or surrounding land and/or property owners and occupants.
- vii. In relation to development permitted by the underlying zoning, the proposed development shall not result in an unreasonable negative impact upon surrounding properties.
- viii. For a PUD with a mixture of uses, the project shall be designed to achieve a synergistic relationship between the uses. The various uses shall be integrated with pedestrian and vehicular access systems and open spaces. For all PUD projects, site design elements should be developed in a consistent manner throughout the entire site (e.g. landscaping, signs, lighting, etc.).
- ix. The proposed development shall not have an adverse impact upon the Township's Master Plan and shall be consistent with the Master Plan's spirit and intent, as well as the spirit and intent of the Township's Zoning Ordinance.

PUD Planned Unit Development Overlay

C. PROJECT DESIGN STANDARDS

Any planned unit development shall comply with the following project design standards:

- i. **Location.** A planned unit development may be approved in any location in the Township, subject to qualifying conditions and standards for review and approval as provided for herein.
- ii. **Uses Permitted.** The flexibility of the PUD provides opportunities to develop projects with either a single type of land use or a variety of land uses combined to form a unified development based on the underlying zoning. The "predominant use" within any PUD project shall be those permitted by the underlying zoning. The Township Board, following review and a recommendation by the Planning Commission, shall determine "predominance of use" after taking into account the following considerations: amount of traffic generated; hours of operation or use; noise, odors, and overall impact on adjoining uses; land area allocated to each use; and, building area allocated to each use. Uses not permitted by the underlying zoning shall not be part of the first phase.
 - a. **Underlying zoning is residential.** Single-Family, Two-Family, Multiple-Family dwellings, other uses permitted in the underlying zoning district, and accessory uses customarily permitted in residential districts. For residential PUDs less than forty (40) acres, non-residential uses shall not be permitted except for the following: 1) limited retail and personal service uses for the exclusive use of the residents of the PUD may be permitted upon the Township Board finding, after review and recommendation by the Planning Commission, that the use is clearly accessory and that no advertising or marketing to patrons outside the PUD shall be permitted and 2) non-residential uses listed in the underlying residential district may be permitted upon review in the context of the PUD site and impact on the surrounding area. The applicant shall demonstrate to the satisfaction of the Township Board that this Section has been met. Residentially-zoned PUDs of forty (40) acres or more may be permitted to incorporate non-residential development dedicated to neighborhood office or neighborhood retail uses on up to five (5) percent of the developed acreage provided,

however, that the total gross floor area devoted to retail and restaurant uses shall not exceed 30,000 square feet.

- b. **Underlying zoning is office or commercial.** The Township Board may permit residential, office and commercial uses, and other uses permitted in the underlying zoning district, upon finding that the organization of uses meets the intent and other PUD design standards.
- c. **Underlying zoning is research and development or industrial.** Underlying zoning is research and development or industrial. The Township Board may permit office, commercial, light industrial, and research and development uses, and other uses permitted in the underlying zoning district upon finding that the organization of uses meets the intent and other PUD design standards. Extended stay hotels and short term corporate housing facilities may also be permitted to serve office, research and industrial uses. Attached single family and/or multiple family residential uses may be permitted when comprehensively designed and integrated into a mixed use PUD that is predominantly non-residential in nature.
- d. **Underlying zoning contains multiple districts.** If the property includes a combination of underlying zoning districts the resulting development mix shall be based upon the acreage zoned for each district.
- e. Any PUD proposing a mixture of residential and non-residential uses may develop mixed-use buildings where residential is located above non-residential uses. This provision will be subject to approval by the Planning Commission subject to the adequacy of building, site, access, and parking design.
- iii. **Residential Density.** PUD density shall be regulated as follows:
 - a. **Underlying zoning is residential.** The number of dwelling units permitted shall be based on the underlying zoning district. The definition for density in Article 2 describes how to calculate maximum density. The Planning Commission may increase the overall density by up to twenty percent (20%) upon a determination that significant natural features would be

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preserved that would otherwise be lost if the site were developed under a more traditional subdivision plan, and that township services can accommodate the increased density. The applicant shall submit a conventional conceptual plan (parallel plan) that illustrates that the number of units the applicant is proposing in the PUD is consistent with the standards in this Ordinance. The Planning Commission and Township Board may also utilize appropriate criteria and guidelines to determine whether a density bonus should be allowed and the percentage of the density bonus.

- b. **Underlying zoning is nonresidential.** The density established by the Planning Commission and Township Board shall be consistent with the Master Plan and the standards in this Ordinance, based upon a determination that such density will not adversely affect water and sewer services, storm water drainage, road capacity, traffic, parks and recreation, fire and police services, schools, character of the area, and any planned public and private improvements in this area. The density for any proposed residential uses in a nonresidential district shall be determined by the Planning Commission and Township Board, but in no case shall residential density exceed the density permitted in Article 3 for High Density Residential for the area designated for residential or in the case of mixed-use (residential and non-residential) buildings for the portion of the site designed for mixed-use buildings.
- iv. **Buffering between uses.** The placement of PUD residential uses adjacent to single or multi-family residential districts sharing a common boundary is encouraged. At their discretion, the Planning Commission may specifically approve a non-residential or mixed-use structure located adjacent to a residential district. Parking, loading, and vehicular traffic ways, shall be separated and buffered from residential units within the PUD and other residential districts adjacent to the PUD project in a manner consistent with good site design and planning principles as specified in Section 5.15 and as otherwise determined by the Township, provided it is recognized that this provision may have limited application to multi-use buildings. When non-residential uses

adjoin residentially zoned property outside of the PUD, noise reduction and screening methods including landscape berms or decorative walls shall be required at the discretion of the Planning Commission and Township Board.

- v. **Open Space.** The PUD development shall incorporate fifteen (15) percent of the total site as open space for the sole benefit, use and enjoyment of present and future occupants of the PUD. Required open space areas shall be contiguous to the maximum extent practical. If natural features are present on the site, such open space must include those natural features. Required open space shall be permanently set aside through covenant, deed restriction, or similar legal instrument acceptable to the Township. If agreed to by the Township Board, the open space may be conveyed to the Township for the use of the general public. Such open space shall not include required yards or buffers, parking areas, drives, rights-of-way, utility or road easements, storm water detention ponds, and structures. At least thirty (30) percent of the open space required by this Section shall be upland, non-wetland areas.
- vi. **Natural Features.** The development shall be designed to promote preservation of natural resources and natural features, taking into consideration the local, state and national concern for the protection and preservation of natural resources and natural features. Design guidelines to be considered are as follows:
 - a. Wherever possible natural drainage shall be retained and improved if necessary.
 - b. Natural site amenities and sensitive environmental features shall be preserved to the maximum extent feasible.
 - c. The location of existing trees and unique vegetation should be considered in the selection of building location, utility placement, circulation patterns and paved areas.
 - d. Floodplain areas shall be preserved as permanent open space.
 - e. The natural topography of the site shall be considered in the design of the project. Major grade changes should be avoided and protective measures shall be taken to protect steep slopes and prevent unnecessary soil erosion.

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- vii. **Dimensional Standards.** The setbacks and other dimensional standards for various uses shall be based on the following:
 - a. Single family residential uses shall comply with the yard (setback), height and minimum floor area regulations applicable to the R-3 district, provided that the zero lot line, average lot size or open space options may be utilized (see Sections 3.6.2Z or 3.6.2.AA).
 - b. Multiple family uses shall comply with the regulations applicable to the Medium Density Multiple Family District, provided the High Density Multiple Family District regulations may be used where the underlying zoning is for High Density Multiple Family and, in the case of non-residentially zoned land, where the density proposed would only be permitted in a High Density Multiple Family District.
 - c. Office, commercial, industrial, and mixed uses shall comply with the zoning regulations for the least intensive zoning district which permits the use.
- viii. **Building Appearance Standards.** The PUD review process shall place significant emphasis on the quality of architecture design and exterior building materials. PUD projects shall demonstrate adherence to high standards of design. Building materials such as brick and stone are strongly encouraged. The use of materials such as standard (smooth faced) concrete masonry units (CMUs) or cinder block as an exterior building material is prohibited. Variations in roof-lines and articulation of walls and building elevations are strongly encouraged. When big box retail, large office buildings, large industrial buildings and similar structures are proposed, large blank walls without articulation shall not be permitted. Notwithstanding any other provisions in this ordinance, the Planning Director, the Planning Commission, the Site Plan Review Committee, and the Township Board will apply quality design standards on a case by case basis, whether or not such design standards are specifically enumerated in an ordinance, guideline or otherwise.
- ix. **Additional Considerations.** The Planning Commission and Township Board shall take into account the following considerations, as the same may be relevant to a particular project: perimeter setback and berthing;

roadway, drainage and utility design; underground installation of utilities; insulating the pedestrian circulation system from vehicular thoroughfares and ways; connecting internal pedestrian circulation systems with external paths, whether existing or proposed; achievement of an integrated development with respect to signage, lighting, landscaping and building materials; and noise reduction and visual screening mechanisms, particularly in cases where nonresidential uses adjoin off-site residentially-zoned property.

Consistent with the PUD concept, and toward encouraging flexibility and creativity in development, departures from compliance with the standards provided for in this ordinance, may be granted at the discretion of the Township Board as part of the PUD approval process. Such departures may be authorized on the condition that there are features or planning mechanisms deemed adequate by the Township Board designed into the project for the purpose of achieving the objectives intended to be accomplished with respect to each of the regulations from which a departure is sought. In all events, however, the required perimeter setbacks adjacent to residential zoning outside the PUD boundaries may not be modified from those established within this Section. Any deviations from ordinance standards will require the Applicant to provide substitute safeguards for each regulation for which there is noncompliance, in whole or in part, in the development plan.

D. PUD APPLICATION AND REVIEW PROCESS

All PUD applications shall follow a three-step review process including Pre-application Conference, Conceptual PUD Site Plan review and approval, and Final PUD Site Plan review and approval. If a rezoning of the subject site is required, the applicant may seek a rezoning concurrent with and contingent upon the application for Conceptual PUD Site Plan approval. Prior to the preparation of the PUD application, the developer shall participate in a Pre-application Conference. After the Pre-application Conference, the applicant shall submit a formal request for PUD approval along with a Conceptual PUD Site Plan for review by the Planning Commission. The Conceptual PUD Site Plan and the adoption of the PUD Overlay zoning district shall require the approval of the Township Board after the Planning Commission public hearing and

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recommendation. The Final PUD Site Plan shall be reviewed and approved by the Township Board.

i. **Pre-application Conference.** Prior to formal submission of an application for planned unit development approval, the applicant shall meet with the Supervisor, Planning Director, Building Official, Director of Public Works, Fire Chief, Police Chief, and other Township personnel and consultants as deemed appropriate. The purpose of such a conference is to provide information and guidance that will assist the applicant in preparation of the application and conceptual plan. No formal action shall be taken at a pre-application conference.

The applicant shall present at such a conference or conferences, at minimum, a sketch plan of the proposed planned unit development; a legal description of the property in question; the total number of acres in the project; a statement of the approximate number of residential units and the approximate regulations to be sought; the number of acres to be preserved as open or recreational space; and, the natural features to be preserved in general.

ii. **Conceptual PUD Application.** The applicant shall prepare and submit to the Township a request for PUD approval with a Conceptual PUD Site Plan meeting the submittal requirements of Section 3.1.19.E and fifteen (15) copies of an Impact Assessment developed in accordance with Section 6.5. The Conceptual PUD Site Plan shall illustrate uses within each component, road layout, parking area and open space. A Traffic Impact Study conforming to Section 6.6 shall be submitted with the Conceptual PUD Site Plan application.

iii. **Planning Commission Review and Public Hearing.** The Planning Commission shall review the Conceptual PUD Site Plan and the Impact Assessment. The Planning Commission shall set a date for a public hearing after the requirements of Section 3.1.19.D.ii have been met. Notice of the public hearing shall be given by one (1) publication in a newspaper of general circulation in the Township, and by mail or personal delivery to the owners of property for which approval is being considered, to all persons whom real property is assessed within 300 feet of the subject property, and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or occupant is located within Grand Blanc Township. The notice shall be given not

less than fifteen (15) days before the public hearing date, in accordance with Section 103 of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, (M.C.L. 125.3101 et seq.). The notice shall specify that the Township is considering both an amendment to the Zoning Map (to add the PUD designation for the subject site) and the Conceptual PUD Site Plan. The notice shall also describe the nature of the request, indicate the property that is subject of the request including a listing of all existing street addresses within the subject property, state when and where the request will be considered, and indicate when and where written comments will be received concerning the request. The Planning Commission shall conduct the public hearing, and submit a written recommendation on the requested PUD overlay zoning to the Township Board based on the review standards of Section 3.1.19.F.

- iv. **Township Board Review.** The Township Board shall review the requested PUD overlay zoning and the Conceptual PUD Site Plan and either approve, deny or approve with a list of conditions made part of the approval. The Township Board may require a resubmittal of the Conceptual PUD Site Plan reflecting the conditions for approval by the Site Plan Review Committee or Planning Commission prior to submittal of a PUD Final Site Plan.
- v. **Final PUD Site Plan.** The Final PUD Site Plan shall first be submitted to the Planning Commission for review and recommendation. Township Board approval of the Conceptual PUD Site Plan shall confer upon the property owner the right to submit a final PUD site plan for the review and approval of the Township Board in accordance with Section 3.1.19.G for a period not to exceed two (2) years from date of approval. For individual phases of a PUD, Final Site Plans shall be approved by the Planning Commission. If application for Final PUD Site Plan approval is not requested within this time period, the approval shall expire and resubmittal of the Conceptual PUD application shall be required. The Township Board may extend the Conceptual PUD approval period up to an additional two (2) years, if requested in writing by the applicant prior to the expiration date.

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E. CONCEPTUAL PUD SUBMITTAL REQUIREMENTS

The purpose of the conceptual PUD review is to provide a mechanism whereby the applicant can obtain approval of the proposed project in concept and then prepare a final site plan and engineering documents. Submittal requirements for the PUD conceptual site plan review are listed below.

- i. 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.
- ii. A completed application form, supplied by the Planning and Zoning Department, and an application fee. A separate escrow deposit may be required for administrative charges to review the PUD submittal.
- iii. Fifteen (15) copies of an Impact Assessment meeting the requirements of Section 6.5 and a Traffic Impact Study meeting the requirements of Section 6.6. Additional copies may be required for Township Board packets.
- iv. The Planning Commission, Township Board or the Planning Director may request that the applicant provide a market study demonstrating the market demand and feasibility of the proposed PUD project.
- v. Sheet size of submittal drawings shall be at least 24 inches by 36 inches, with graphics at an engineer's scale. The applicant shall also submit a set of plans on 11" X 17" sheets, with at least one sheet in color, highlighting landscaped and open space areas.
- vi. Cover Sheet providing:
 - a. The applicant's name;
 - b. The name of the development;
 - c. The preparer's name and professional seal of architect, engineer, surveyor or landscape architect indicating license or registration in the State of Michigan;
 - d. Date of preparation and any revisions;
 - e. North arrow;
 - f. Property lines and dimensions;
 - g. Complete and current legal description and size of property in acres;
 - h. Small location sketch of the subject site and area within one mile; and scale;
 - i. Existing 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;

- j. Lot lines and all structures on the property and within one-hundred (100) feet of the PUD property lines;
- k. Location of any access points on both sides of the street within three-hundred (300) feet of the PUD site along streets where access to the PUD is proposed.
- vii. A Plan Sheet(s) labeled Existing Site Conditions, including: the locations of existing buildings and structures; rights-of-way and easements; significant natural and historical features; existing drainage patterns (by arrow); surface water bodies and floodplain areas; wetlands over two acres in size; the limits of major stands of trees; and a tree survey indicating the locations, species and caliper of all trees with a caliper over eight (8) inches, measured four feet above grade. The detailed tree survey may be delayed until final site plan review, if approved by the Township Board, following review and a recommendation by the Planning Commission, if the applicant provides an outline of a tree preservation program. This sheet shall also illustrate existing topography of the entire site at two (2) foot contour intervals and a general description of grades within one hundred (100) feet of the site. A reduced copy of this sheet may be included in the Impact Assessment.
- viii. A Conceptual PUD Site Plan Sheet including:
 - a. Conceptual layout of proposed land use, acreage allotted to each use, residential density overall and by underlying zoning district (calculations shall be provided for both overall and buildable acreage as described in Section 3.6.2.Y).
 - b. If the Conceptual PUD plan includes a request for a residential density bonus, the applicant shall submit a parallel plan illustrating the number of units that could be developed on the site under a conventional development scenario. The parallel plan shall be based upon the underlying zoning and must demonstrate that the density proposed for the PUD is consistent with the standards of Section 3.1.19.C of this Ordinance. If a parallel plan is required, there shall be a separate review fee charged in addition to the PUD review fee to cover the Township's cost of

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reviewing the parallel plan. All fees shall be established by resolution of the Township Board.

- c. Building footprints, setbacks and spacing; lot sizes; structures, roadways, parking areas, drives, driveways, pedestrian paths, identification signs, and any existing structures to be removed.
- d. General location and type of landscaping proposed (evergreen, deciduous, berm, etc.) noting existing trees over eight inches in caliper to be retained, and any woodlands that will be designated as "areas not to be disturbed" in development of the PUD.
- e. A preliminary layout of contemplated storm water drainage, detention pond location, water supply and wastewater disposal systems, any public or private easements, and a note of any utility lines to be removed.
- f. If all or part of the PUD project is expected to be a platted subdivision, the Conceptual PUD site plan shall also meet all the submittal requirements for a tentative preliminary plat, as described in the Township Subdivision Regulations.
- g. If a multi-phase Planned Unit Development is proposed, identification of the areas included in each phase and a demonstration that each phase shall meet the requirements of this Ordinance and the Township's Subdivision Regulations. For residential uses, the number, type and density of housing by phase shall be identified.
- h. General list of anticipated deviations from applicable underlying Zoning Ordinance regulations that will be sought, and a concise statement indicating the approach proposed to ensure that any such deviations will achieve the objectives and intent of this Section.
- i. A written narrative describing the recognizable and substantial public benefit to be provided to the project and the community as a whole as part of the proposed PUD Development Plan.

F. STANDARDS FOR APPROVAL OF CONCEPTUAL PUD SITE PLAN

Based upon the standards below, the Planning Commission may recommend denial, approval, or approval with conditions, and the Township Board may deny, approve, or approve with conditions the proposed planned unit development. Upon the approval of the Conceptual PUD Site Plan and Development Agreement (see Section 3.1.19.K) by the Township Board, the property shall be designated as Planned Unit Development overlay zoning on the Official Zoning Map.

- i. The planned unit development meets the qualification and project design requirements.
- ii. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare, or convenience, on present and future potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation system, surrounding properties, or the environment.
- iii. The conceptual plan will be able to meet the final site plan review standards for design, setbacks, and all applicable standards of this Zoning Ordinance unless deviations are specifically requested and approved.
- iv. If the PUD includes a platted subdivision, the conceptual plan will comply with the Township Subdivision Regulations and the requirements of the Genesee County Road Commission. The Conceptual PUD Site Plan may be considered a tentative preliminary plat for purposes of a concurrent review process or the applicant may submit the tentative preliminary plat at a later date, following approval of the Conceptual PUD Site Plan.
- v. The proposed development does not have an adverse impact upon the Township's Master Plan and is consistent with the Master Plan's spirit and intent, as well as the spirit and intent of the Township's Zoning Ordinance.
- vi. Judicious effort has been used to protect and preserve significant natural and historical features, surface and underground water bodies and the integrity of the land.
- vii. Public water and sewer facilities are available or planned in accordance with the Township Water and Sewer Ordinance.
- viii. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the site will be provided. Drives,

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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.

ix. The planned unit development will result in a recognizable and substantial benefit to the ultimate users of the project and to the community, as demonstrated by the applicant, where such benefit would otherwise be unfeasible or unlikely to be achieved.

G. FINAL PUD SITE PLAN SUBMITTAL PROCEDURES AND APPROVAL

i. The purpose of the PUD final review is to consider the Final Site Plan and Impact Statement for the entire PUD that is consistent with the approved Conceptual PUD Site Plan. Upon receiving approval for the overall Conceptual PUD Site Plan the applicant may seek Final PUD Site Plan approval for the individual buildings or project components in phases, subject to consistency with a Township Board-approved Phasing Plan. Receipt of a building permit shall require signoff by the Township Planning Department and Building Department.

ii. The final submittal shall include the materials required by Section 6.2, Site Plan Review, plus the following:

- A copy of the approved Development Agreement recorded with the Genesee County Register of Deeds that describes the terms and conditions of the approval and the rights and obligations of each party. (See Section 3.1.19.K)
- A separately delineated specification of all the deviations from this Ordinance, which would otherwise be applicable to the uses and development proposed in the absence of these planned unit development regulations (i.e. a specific list of requested deviations vs. standard requirements). The reasons and mechanisms to be utilized for the protection of the public health, safety and welfare in lieu of the regulations from which deviations are sought shall also be specified.
- The applicant may submit a schematic site plan that illustrates general building footprints, parking lot areas, road alignments, open space and general landscaping for the overall project; with more detailed site plans meeting the

Township's final site plan standards for the first building or project phase. Each detailed site plan shall then be reviewed according to the procedures and standards of Section 6.2, Site Plan Review, or the Township Subdivision Regulations for any platted portion of the PUD.

The final PUD site plan shall be reviewed by the Township Board according to the procedures outlined in Section 6.2, Site Plan Review. The Final PUD Site Plan for individual phases shall be approved by the Planning Commission. The design and proposed uses shall be consistent with the approved conceptual plan. The Township Board may require an updated version of the impact assessment for an individual phase if the proposed use or layout has changed from the approved concept plan.

iv. For any condominium section of a PUD, the applicant shall provide a copy of the Master Deed and Condominium Association Bylaws for approval by the Township Board. The condominium documents shall provide limits on use of common areas or open space accessory structures such as swimming pools, decks, playground equipment and buildings. A plan shall be provided indicating the limits of such accessory structures within a defined envelope.

H. SCHEDULE OF CONSTRUCTION

i. To ensure that planned unit developments are constructed in an orderly manner and further, to ensure that the planned unit development approach is not used as a means of circumventing restrictions on the location or quantity of certain types of land use, non-residential structures and uses not otherwise permitted in an underlying residential district shall not be constructed until at least twenty-five (25) percent of the residential buildings have commenced construction. To qualify, residential structures must have valid building permits. For non-residentially zoned property, not more than twenty-five (25) percent of the site shall be developed for uses not otherwise permitted in the underlying district until an equal percentage of the site has been developed for permitted uses in the underlying district. For purposes of carrying out this provision, the percentage shall be approximations as determined by the Township Board, following review and a recommendation by the Planning Commission, based on the floor

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area and land area allocated to each use. Such percentages may be varied by the Township Board.

- ii. Final site plan approval of a PUD, PUD phase or a building within a PUD shall be effective for a period of three (3) years. Further submittals under the PUD procedures shall be accepted for review upon a showing of substantial progress in development of previously approved phases, or upon a showing of good cause for not having made such progress.
- iii. In the development of a PUD, the percentage of one-family dwelling units under construction, or lots sold, shall be at least in the same proportion to the percentage of multiple family dwelling units under construction at any one time, provided that this Section shall be applied only if one-family dwelling units comprise twenty-five percent (25%) or more of the total housing stock proposed for the PUD.

I. APPEALS AND VIOLATIONS

- i. The Zoning Board of Appeals shall have the authority to hear and decide appeal requests by individual property owners for dimensional, bulk, & height variances from the Grand Blanc Township Zoning Ordinance. However, the Zoning Board of Appeals shall not have the authority to reverse an order or decision of the Township Board, change conditions imposed by the Township Board or make interpretations related to the PUD site plan or Development Agreement.
- ii. A violation of the PUD plan shall be considered a violation of this Ordinance.

J. AMENDMENTS AND DEVIATIONS FROM APPROVED FINAL PUD SITE PLAN

- i. Deviations from the approved Final PUD Site Plan may occur only when an applicant or property owner who was granted Final PUD Site Plan approval notifies the Planning Director of the proposed amendment to such approved site plan in writing, accompanied by a site plan illustrating the proposed change. The result shall be received prior to initiation of any construction in conflict with the approved Final PUD Site Plan.
- ii. **Procedure:** Within fourteen (14) days of receipt of a request to amend the Final PUD Site Plan, the Planning Director shall determine whether

the change is major, warranting review by the Township Board, or (minor), allowing administrative approval, as noted below.

- iii. **Minor changes:** The Planning Director may approve the proposed revision upon finding the change would not alter the basic design nor any condition imposed upon the original plan approval by the Township Board. The Planning Director shall inform the Planning Commission and Township Board of such approval in writing. The Planning Director shall consider the following when determining a change to be minor:
 - a. For residential buildings, the size of structures may be reduced; or increased by five percent (5%), provided the overall density of units does not increase and the minimum square footage requirements are met.
 - b. Gross floor area of non-residential buildings may be decreased or increased by up to five percent (5%) or 10,000 square feet, whichever is smaller.
 - c. Floor plans may be changed if consistent with the character of the use.
 - d. Horizontal and/or vertical elevations may be altered by up to five percent (5%).
 - e. Relocation of a building by up to five (5) feet, if consistent with required setbacks and other standards.
 - f. Designated "Areas not to be disturbed" may be increased.
 - g. Plantings approved in the Final PUD Landscaping Plan may be replaced by similar types of landscaping on a one-to-one or greater basis. Any trees to be preserved, which are lost during construction, may be replaced by at least two (2) trees of the same or similar species.
 - h. Improvements or slight relocation of site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.
 - i. Changes of building materials to another of higher quality, as determined by the Planning Director.
 - j. Slight modification of sign placement or reduction of size.

PUD Overlay (Continued)

- k. Internal rearrangement of parking lot that does not affect the number of parking spaces or alter access locations or design.
- l. Changes required or requested by the Township, County or State for safety reasons.
- iv. **Major Changes:** Where the Planning Director determines the requested amendment to the approved Final PUD Site Plan is not minor, or if there is a request to expand the land area included within the PUD, submittal of an amended application for review and approval by the Township Board is required. If the Township Board determines that the proposed modifications to the Final PUD Site Plan significantly alter the intent of the Conceptual PUD Site Plan or significantly modify the on-site or off-site impacts of the Plan, a revised conceptual PUD Site Plan shall be submitted according to the procedures outlined in this Section, including a new public hearing and review and recommendation by the Planning Commission prior to Township Board action. If the PUD is being expanded in size, the previously submitted impact assessment and traffic study shall be updated to reflect new conditions and the expected impacts associated with the subject area.

K. DEVELOPMENT AGREEMENT

- i. Upon obtaining approval of a Conceptual PUD Site Plan, the applicant and Township Board shall enter into a Development Agreement that describes the terms and conditions of the approval and the rights and obligations of each party. The Development Agreement may be approved by the Township Board immediately following approval of the Conceptual PUD Site Plan or it may be placed on an subsequent agenda of the Township Board. The applicant shall reimburse the Township for all fees for Township legal counsel and consultant participation in the development agreement.
- ii. The approved Development Agreement shall be recorded with the Genesee County Register of Deeds.
- iii. In the event that the Conceptual PUD Site Plan requires a major amendment, the Development Agreement shall be amended to reflect the approved changes and recorded as provided in Section 3.1.19.K.ii above. Action to amend a Development Agreement requires approval by the Township Board.

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