

## **PLANNED UNIT DEVELOPMENT (PUD)** **AREA PLAN AND REZONING REVIEW PROCEDURE**

Application for PUD approval shall be made by filing at least eleven (11) paper copies and two (2) digital copies (in .PDF format) of a complete and accurate application and Area Plan.

**NOTE: A refundable escrow deposit of \$5,000.00 shall be required at the time of application, in addition to the non-refundable \$675.00 application review fee.**

Professional inquiries will be made to our Township Planning Consultant, Township Engineer, and Township Attorney to get their opinions on the compatibility of your plan to our zoning regulations, PUD standards, and Master Plan. The cost of these inquiries will be reimbursed to the Township as deductions from your refundable escrow deposit. The Township may require the escrow deposit to be replenished if the funds become depleted prior to the completion of the review process.

If you would like a copy of these reports please ASK. Sometimes these reports are not available until a day or two before the public meeting or hearing where your item will be on the agenda.

The public hearing will be held by the Planning Commission, who will make a recommendation to the Township Board of Trustees for final consideration and action. The Township Board may, at its discretion or upon request, hold a second hearing.

Approval of the PUD Area Plan and rezoning by the Township Board shall indicate its acceptance of the overall development concept. Area Plan approval does not grant site plan approval, but does authorize the applicant to file a preliminary site plan per Section 20.13 (Site Plan Approval), or a preliminary plat for tentative approval in accordance with Section 20.14 (Subdivision Plat Approval).

**Frankenlust Township**

PUD Area Plan/Rezoning \$675, plus the escrow deposit\*

# \_\_\_\_\_

Dated Applied \_\_\_\_\_

***This application will not be accepted if incomplete. Required materials should be submitted at least 30 calendar days prior to the next regular Planning Commission meeting date.***

**APPLICANT INFORMATION:**

(If different than owner)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**LEGAL OWNER:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**PROPERTY INFORMATION:**

Address or Location \_\_\_\_\_

Permanent Parcel # \_\_\_\_\_

Zone District (Current) \_\_\_\_\_

Property Size \_\_\_\_\_

Legal Description (Include on Reverse Side)

**REQUIRED ATTACHMENTS:**

***In addition to the required plan information per Section 17.07, attach the following documentation:***

- PUD Project Eligibility:** Attach a letter describing how the project satisfies the applicable eligibility criteria found in Section 20.03 of the Zoning Ordinance.
- Proposed Ordinance Deviations:** If any deviations from Zoning Ordinance requirements are proposed, list each ordinance standard and proposed deviation on the PUD Area Plan, and attach a letter describing how the deviations are consistent with Section 20.04 (Regulatory Flexibility).

**\* I/WE HAVE BEEN GIVEN THE PROCEDURE COVER SHEET AND AGREE TO PAY FOR ALL ADDITIONAL FEES SHOULD THEY BE NECESSARY. I/we also hereby attest that the information on this application is, to the best of my/our knowledge, true and accurate and grant Frankenlust Township personnel, involved in reviewing this request, permission of reasonable entry onto the above property for investigation specifically related to this request.**

\_\_\_\_\_  
(Applicant)

\_\_\_\_\_  
(Legal Owner)

\_\_\_\_\_  
(Applicant)

\_\_\_\_\_  
(Legal Owner)

Application Fee: \$ \_\_\_\_\_

DEBORAH FISHER, CLERK

Escrow Deposit: \$ \_\_\_\_\_

\_\_\_\_\_  
Date Received

\_\_\_\_\_  
Cash or Check #

\* **NOTE:** The Township Board has established a fee schedule by resolution to defray fixed costs and expenses incurred by the Township to perform functions required under Zoning Ordinance No. 79. The provisions of Section 2.07 (Fees and Performance Guarantees) of the Zoning Ordinance shall apply to the use and disposition of non-refundable review fees and refundable escrow deposits required for this application.

**Office Use Only**

Zoning Administrator Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Action: \_\_\_\_\_

Planning Consultant Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Action: \_\_\_\_\_

Planning Commission Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Action: \_\_\_\_\_

Board of Trustees Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Action: \_\_\_\_\_

# Excerpts from Zoning Ordinance No. 79

## Article 17.0 (Site Plan Review)

## Article 20.0 (Planned Unit Development (PUD) District)

### Section 20.01 Intent.

It is the intent of this [Planned Unit Development] Article to allow the use of the planned unit development (PUD) process authorized by Section 503 of the Michigan Zoning Enabling Act as an optional method of development review and approval to achieve the following objectives:

1. To allow for development that is consistent with the Township's Master Plan; and encourages the long-term preservation of open space, agricultural land, unique rural character, and natural features.
2. To promote flexibility and creativity in land development and land use consistent with the Master Plan and the site's location, character, and adaptability.
3. To establish planning, review, and approval procedures that will properly relate the type, design, and layout of development to the site and neighborhood.

The provisions of this Article are intended to result in land development substantially consistent with Ordinance standards generally applied to the proposed uses, while allowing for the option of Township approval for limited modifications from the applicable use or development standards of this Ordinance as applied to a particular site and development project.

### Section 20.02 Scope.

The provisions of this [Planned Unit Development] Article may be applied to any parcel of land under single ownership in any zoning district, subject to a determination that the proposed project and site satisfy Section 20.03 (Eligibility Criteria). Approval of a PUD application shall require an amendment to the Official Zoning Map. These regulations are not intended as a device for ignoring specific Township standards or the planning upon which such standards are based. The PUD process shall not be used in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards.

### Section 20.03 Eligibility Criteria.

**To be eligible for planned unit development (PUD) approval, the applicant shall demonstrate to the Planning Commission's satisfaction that the following criteria will be met [ATTACH DOCUMENTATION TO THE APPLICATION]:**

- Single ownership or control.** The development shall be under the ownership or control of a single person or entity having responsibility for completing and maintaining the project in conformity with this Article and Ordinance.
- Location.** The proposed development is located in an area of the Township suitable and desirable for such development, and consistent with Master Plan policies regarding land uses and residential density.
- Sufficient land area for proposed uses.** The PUD site shall include sufficient contiguous land area to comply with all applicable regulations of this Ordinance, to adequately serve the needs of all permitted uses in the PUD project, and to ensure compatibility between uses and the surrounding area. Additional non-contiguous land areas within the Township may be included as part of the proposed open space dedications for a PUD project.

- ❑ **Economic impact.** The proposed development shall not impede the continued use or development of surrounding properties for uses that are permitted under this Ordinance or planned for in the Township’s Master Plan.
- ❑ **Compatibility with the planned development intent.** The proposed development shall be consistent with the intent and scope of this Article.
- ❑ **Compatibility with the Master Plan.** The proposed development shall be compatible with the Township’s Master Plan.
- ❑ **Availability and capacity of public services.** The proposed type and intensity of use shall not exceed the existing or planned capacity of existing public services and facilities, including police and fire protection, traffic capacity of the Township’s public roads, drainage and stormwater management facilities, availability of water, and capacity of existing or planned utility facilities.
- ❑ **Additional eligibility criteria.** The petition and Area Plan shall be compatible with one (1) or more of the following additional criteria:
  - a. **Conservation of agricultural land.** Long-term conservation of agricultural land in the Township will be achieved, where such land could otherwise be subdivided or converted to non-agricultural uses through development permitted by this Ordinance.
  - b. **Preservation of site features.** Long-term conservation of natural, historical, architectural or other significant site features or open space will be achieved, where such features would otherwise be destroyed or degraded by development otherwise permitted by this Ordinance.
  - c. **Public benefit.** Recognizable and material benefit(s) will be realized by the future users of the development and the Township as a whole, where such benefit would otherwise be unachievable under this Ordinance.
  - d. **Remediation and redevelopment.** The development includes remediation and redevelopment of a site classified as a brownfield under state or federal law, containing one (1) or more functionally obsolete buildings, or otherwise determined to be subject to unusual physical constraints or hardships that would prevent reasonable use or development in accordance with the strict application of this Ordinance.

## **Section 20.04 Regulatory Flexibility.**

Unless otherwise waived or modified as part of an approval in accordance with this Section and [Planned Unit Development] Article, the standards of this Ordinance shall be applicable to uses in a planned unit development. To encourage flexibility and creativity consistent with the intent of this Article, limited deviations from specific Ordinance standards may be approved as part of Area Plan approval by the Township Board after recommendation by the Planning Commission, subject to the following:

1. **Proposed deviations shall be identified on the PUD Area Plan,** and shall be subject to review and recommendation by the Planning Commission and approval by the Township Board.
2. Such deviations may include modifications to yard and bulk standards; height requirements; use standards; or parking, loading, lighting, landscaping or other Ordinance requirements.

3. Such deviations shall be consistent with the intent and scope of this Article, and shall result in a higher quality of development than would be possible without the granting of the deviation.
4. Permitted deviations shall be accompanied by adequate safeguards, features or planning mechanisms 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 deviation is sought.

## **Section 20.12 PUD Area Plan and Rezoning Review (excerpt).**

PUD applications shall be subject to review and approval in accordance with the following:

### **A. PUD Area Plan and Rezoning Application Requirements.**

Application for PUD approval shall be as an amendment to the Official Zoning Map, subject to the following review procedures:

1. **Initiating application.** Application for PUD approval shall be made by filing at least eleven (11) paper copies and two (2) digital copies (in a format compatible with Township systems) of a complete and accurate application and Area Plan with the Township Clerk or designee, along with the required review fee and escrow deposit. An application submitted without the required fees and escrow deposits shall be considered incomplete, and shall be returned to the applicant.
  - a. The application shall be submitted by the owner(s) of record of such parcel, or by one or more persons acting on behalf of the owner(s) of record of such parcel. The applicant shall provide evidence of ownership of all land in a proposed PUD District, such as legal title or execution of a binding sales agreement, prior to Township Board action.
  - b. An Area Plan shall be required as part of an application for PUD approval, with the minimum required information for such plans as specified in Section 17.07 (Required Site Plan Information). ...

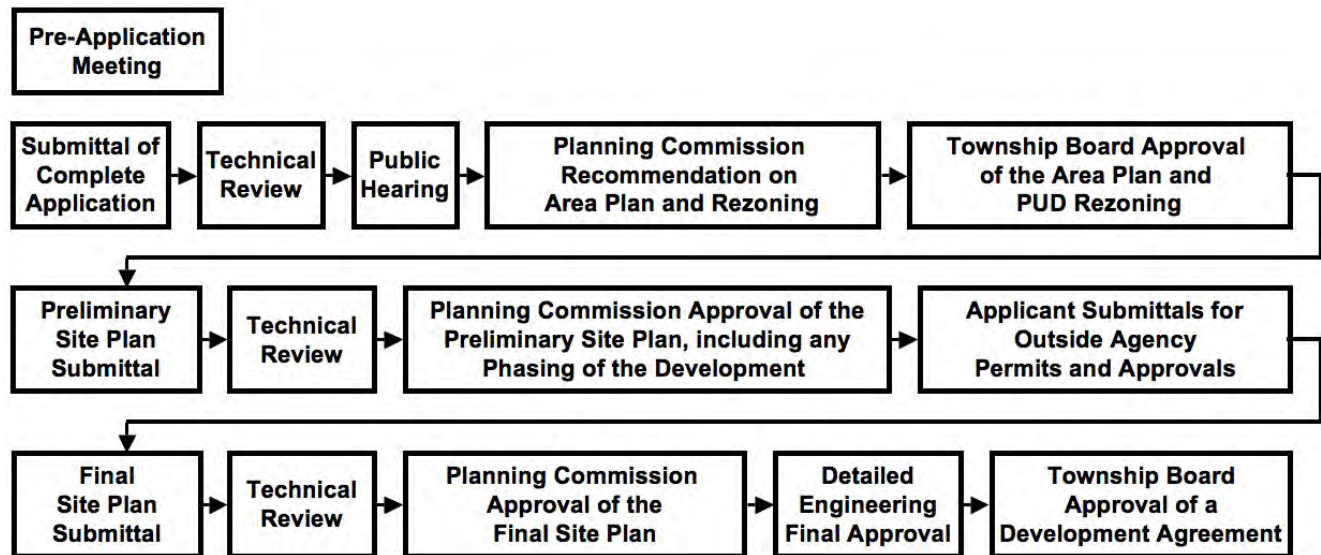
### **B. Effect of Application and Area Plan Approval.**

Approval of the PUD Area Plan and rezoning by the Township Board shall indicate its acceptance of the overall development concept and any requested deviations from Zoning Ordinance requirements. This shall include acceptance of the general site layout, conceptual building design and location(s), preliminary street network, permitted land uses, and the types, range(s) of dwelling and lot sizes, and maximum number of permitted dwelling units for residential projects.

1. Area Plan approval does not grant site plan approval, but does authorize the applicant to file a preliminary site plan per Section 20.13 (Site Plan Approval), or a preliminary plat for tentative approval in accordance with Section 20.14 (Subdivision Plat Approval).
2. Where new or additional information required for site plan or subdivision plat approval is determined by the applicant or Planning Commission to necessitate changes to the site layout, building locations, street network, maximum number of permitted dwelling units or permitted land uses on the site, such changes shall be subject to approval per Section 20.18 (Amendments).

## Section 20.10 Summary of the PUD Approval Process.

Final approval of a PUD application shall include approval of a rezoning of the subject property, approval of a PUD final site plan, and approval of a development agreement for the project. The PUD review and approval process shall be as follows:



### PUD Approval Process - Site Plans

Excerpts from Section 17.07 (Required Site Plan Information) Minimum Required PUD Area Plan Information	PUD Area Plan
Name, address, and other contact information for the applicant and property owners of record, along with proof of ownership and signed consent if applicant is not the property owner.	<input type="checkbox"/>
Name, address, and other contact information of the firm or individual preparing the site plan. Site plans prepared by an architect, community planner, engineer, landscape architect or land surveyor shall bear the individual's professional seal.	<input type="checkbox"/>
Location, address(es), and tax identification number(s) of subject parcel(s).	<input type="checkbox"/>
Dimensions of the site, and the gross and net land area.	<input type="checkbox"/>
Legal description(s) of the subject parcel(s).	<input type="checkbox"/>
Description of applicant's intentions regarding selling or leasing of all or portions of land and dwelling units or other structures.	<input type="checkbox"/>
Gross and net dwelling unit density for residential projects.	<input type="checkbox"/>
General description of the number, size ranges, and types of proposed dwelling units; and proposed facade materials.	<input type="checkbox"/>

<p align="center"><b>Excerpts from Section 17.07 (Required Site Plan Information)</b>  <b>Minimum Required PUD Area Plan Information</b></p>	<p align="center"><b>PUD Area Plan</b></p>
<p>A detailed use statement describing proposed use(s); including land or building areas for each use, number of units, number of anticipated employees, or other applicable information to verify Ordinance compliance.</p>	<p align="center"><input type="checkbox"/></p>
<p>Preliminary and final site plans shall be drawn to an engineer's scale not greater than 1:50 and appropriate for the required sheet size of 24 inches by 36 inches. For a large development shown in sections on multiple sheets, one overall composite sheet shall be provided for clarity.</p>	<p align="center"><input type="checkbox"/></p>
<p>Vicinity map showing the general location of the site.</p>	<p align="center"><input type="checkbox"/></p>
<p>Scale, north arrow, initial plan date, and any revision date(s).</p>	<p align="center"><input type="checkbox"/></p>
<p>Existing zoning classification(s) for the subject parcel(s) and surrounding parcels (including across road rights-of-way).</p>	<p align="center"><input type="checkbox"/></p>
<p>Identification of all adjacent property in which the applicant(s), developer(s), or owner(s) have an ownership interest.</p>	<p align="center"><input type="checkbox"/></p>
<p>Dimensions of all property boundaries and interior lot lines.</p>	<p align="center"><input type="checkbox"/></p>
<p>Location of existing structures, fences, and driveways on the subject property, with notes regarding their preservation or alteration.</p>	<p align="center"><input type="checkbox"/></p>
<p>Location, outline, ground floor area, and height of proposed structures; and of existing structures to remain on-site.</p>	<p align="center"><input type="checkbox"/></p>
<p>Conceptual drawings of exterior building façades for principal buildings and building additions, drawn to an appropriate scale.</p>	<p align="center"><input type="checkbox"/></p>
<p>Locations, layout, surface type, centerlines, road pavement and right-of-way widths, and indication of public or private road status for all existing and proposed roads and access drives serving the site.</p>	<p align="center"><input type="checkbox"/></p>
<p>Conceptual locations, layout, and surface type for all parking lots, sidewalks, and pedestrian pathways within and accessing the site.</p>	<p align="center"><input type="checkbox"/></p>
<p>A general description and preliminary delineation of existing natural features on and abutting the site, per Section 16.04 (Natural Resources Protection).</p>	<p align="center"><input type="checkbox"/></p>
<p>Outdoor open space and recreation areas; location, area, and dimensions.</p>	<p align="center"><input type="checkbox"/></p>
<p>Location and size of all required transition buffers and landscape strips.</p>	<p align="center"><input type="checkbox"/></p>
<p>General layout of existing and proposed water supply systems, sanitary sewerage or septic systems, and stormwater management facilities.</p>	<p align="center"><input type="checkbox"/></p>
<p>General areas of intended filling or cutting.</p>	<p align="center"><input type="checkbox"/></p>
<p>Other information as requested by the Township Planner or Planning Commission to verify compliance with the standards and conditions imposed by this Ordinance, the policies of the Township Master Plan, and other applicable Township ordinances or state statutes.</p>	<p align="center"><input type="checkbox"/></p>

**See Zoning Ordinance No. 79 for more information**