

CHAPTER 1247 PLANNED UNIT DEVELOPMENT REVIEW

- 1247.01 Application Procedure
 - 1247.02 Amendments to an Approved Planned Unit Development (changes)
 - 1247.03 Submission of Development Plan
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1247.01 Application Procedure¹

- A. Rezoning to a Planned Unit Development (PUD) District is discretionary and may be initiated by the property owner or an agent of the property owner by petition, submitted and processed in accordance with [Chapter 1248](#) (Amendments).
- B. A PUD District may be located in the “S,” “R,” “C,” “M,” and “BP” Districts in accordance with [Chapter 1253](#) (Planned Unit Development).
- C. The application shall include a Development Plan in accordance with [Section 1247.03](#) (Submission of Development Plan). If a PUD district is proposed to be associated with a different conventional district than the zoning district in effect for the site, the applicant may defer submission of a Development Plan until Council votes on the petition to amend the Zoning Map to the proposed PUD Zoning District. Such non-concurrent review of the PUD Development Plan shall be submitted and processed in accordance with [Chapter 1248](#) (Amendments).
 - 1. *Preliminary Discussions.* Prior to submission of the Development Plan, each subdivider of land or their surveyor or registered professional engineer is encouraged to confer with the Village Administrator before preparing a Development Plan in order to become thoroughly familiar with the subdivision requirements and those of the official plans of the Village affecting the area within which the proposed subdivision lies.
 - 2. *Preliminary Sketch Drawings.* In addition, a sketch drawing may be submitted, in duplicate, to the Planning Commission for its preliminary review and recommendations. The drawing shall contain enough information so that an accurate analysis can be made. The Commission shall advise and aid the developer or owner in obtaining the best possible layout for all concerned. After a proper solution has been worked out, the developer or owner may proceed with preparation of a Development Plan.
- D. Upon submission of a PUD Development Plan, the drawing shall be analyzed by the Commission for conformity to the PUD and Subdivision Regulations. If the drawing does not conform to these Subdivision Regulations, the owner or agent shall be notified so that the drawing may be revised.

¹ Amended Ord. 27-2006; Effective August 1, 2006

1. Prior to review by the Planning Commission, the Development Plan shall be sent to the appropriate public agencies for their review and recommendations. When the recommendations of the public agencies are received they shall be reviewed by the Planning Commission. If the drawing is not acceptable to public agency, the owner or agent shall be notified so that the drawing may be revised. If the drawing is acceptable and/or subject to certain modifications, the drawing shall be presented to the Commission for consideration.
 2. The Commission may introduce such changes or revisions to the drawing as are deemed necessary to the interests and needs of the community, provided that such changes are not in violation of the Planned Unit Development and Subdivision Regulations. Changes agreed to by the owner or agent shall be marked in red on the approved drawing. The developer or his or her agent shall then furnish the Commission with three (3) blue-line or black-line prints of the revised drawing containing such agreements on paper no larger than 24" by 36" and twelve (12) good quality black and white reproducible, PMT, or velox reductions of the original prints at a size 11" by 17".
 3. The Commission shall disapprove the drawing if it does not contain the necessary information, if it is not in accordance with the Planned Unit Development and Subdivision Regulations, or if the proposed improvements are not approved by the appropriate public agencies.
 4. The Commission shall render a decision upon the PUD and within ten (10) days thereafter, the owner or agent shall be notified in writing of the Commission action, and such notification will also be given to appropriate public agencies.
- E. Upon final approval of the Development Plan by Village Council, the subject property shall be designated as a PUD District on the Zoning Map and any other zoning district regulations that applied to the property shall no longer apply to that property. Such designation shall include the zoning district in the name along with the PUD notation (e.g., "R-4 PUD").
- F. All planned developments shall be platted in accordance with applicable subdivision rules and regulations. An approved Development Plan shall replace the Preliminary Plat Procedure requirement according to Section 1123.04 of the Subdivision Regulations. Council approval of a Development Plan is valid for one (1) year and allows the developer to proceed with the preparation of the improvement plans required by the various public agencies. Within this time period, a Plat may be filed as provided for in Section 1123.05 (Plat Requirements) of the Subdivision Regulations.
- G. No construction of any improvement on a parcel to be developed pursuant to an approved Development Plan shall occur prior to Plat approval, recording of the Plat in the office of the County Recorder, and filing for a Zoning Permit with the Zoning Inspector subject to [Section 1241.03](#) (Permits Required), [Section 1241.05](#) (Application and Issuance of Zoning Permits), and [Section 1241.06](#) (Site Design and Development).

1247.02 **Amendments to an Approved Planned Unit Development (changes)**

After the final development plan has been approved by Village Council, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards may be requested by the proponents.

A. Major Change

1. A major change, as defined herein, shall require review and recommendation by the Planning Commission and approval by Village Council.
2. A major change is any change which would constitute a significant alteration in the basic plan design or result in a use different from those originally intended and which does not meet the criteria under a minor change, as herein described.

B. Minor Change

1. Minor changes or revisions, as defined herein, may be approved by the Village Administrator provided such requests substantially conform to the standards established by the approved Development Plan and this Ordinance.²
2. Minor changes or revisions shall be limited to the following:
 - a) Adjustments to the size and location of buildings, swimming pools, and other on site structures so long as:
 - 1) They do not result in an increase in the number of units over and above those that the plan covers;
 - 2) They do not encroach materially into the established setback areas;
 - 3) They do not encroach into the designated parking areas to the extent that would necessitate an alteration in the layout of the access drives or provisions for additional parking spaces; and
 - 4) They do not create a larger building mass either through an increase in their height or length that would magnify their effect on the adjoining areas.
 - b) Alterations to the proposed drives and/or parking areas so long as they do not encroach into building areas or specified recreation areas.
 - c) Adjustments in the size and location of development identification signs.

² Amended Ord. 27-2006; Effective August 1, 2006

1247.03 **Submission of Development Plan**³

A Development Plan illustrating compliance with the standards and criteria set forth in [Chapter 1253](#) (Planned Unit Development) shall be submitted for all subdivisions located within the Village, which are intended to be recorded as a plat within a PUD. The Development Plan shall not be accepted for processing unless it is submitted at least thirty (30) days before a meeting of the Commission and the following data are contained therein:

A. Submission Format

1. The Development Plan shall be based on a boundary survey prepared by a registered surveyor or a registered, professional engineer.
2. The submission shall contain:
 - a) Three (3) blue-line or black-line prints of the Development Plan on paper no larger than 24" X 36"; and
 - b) Twelve (12) good quality black and white reproducible PMT or velox reductions of the original prints shall be submitted at a size 11" by 17".
2. Identification shall be noted as follows:
 - a) The title "Development Plan" and the proposed name of the subdivision;
 - b) The case file number if one has been assigned for the development;
 - c) Names, addresses, and phone numbers of the developer, and any parties who should be informed of the progress of the request, including the land owner(s), attorney, architect, engineer, landscape architect or other appropriate consultants;
 - d) The scale of the drawing (one inch equals 100 feet preferred);
 - e) The date and a north point which points either toward the top of the drawing or to the left side of the drawing;
 - f) A general location sketch showing and section and corporation lines, and all adjacent roadways;
 - g) A complete legal description by township, section, town and range or by other legal description;
 - h) The approximate acreage.
3. Delineation shall include, but not be limited to, the following:

³ Amended Ord. 27-2006; Effective August 1, 2006

- a) Boundary lines of the proposed subdivision indicated by dashed heavy lines;
- b) Boundary lines of all tracts of unsubdivided and subdivided land abutting the proposed plat, showing owners of tracts greater than one acre;
- c) The existing zoning of the proposed subdivision and abutting tracts in zoned areas;
- d) Contours are preferably indicated at two (2) foot intervals as measured in the field;
- e) Indication of ground forms, ditches, creeks, or other natural features that may affect the development of the property;
- f) The 100-year high water elevation (Information on this requirement may be obtained from the Lucas County Engineer's Office);
- g) Locations, widths and names of all existing or prior platted streets, other public ways, and sidewalks. The layout of proposed streets, their proposed names and widths and the widths of proposed alleys, sidewalks, crosswalks, trails, etc. Proposed street names shall be checked with the Real Estate Transfer Department of the County Auditor's office to avoid duplication. Right-of-way and pavement widths shall be measured from the centerline of the roadway;
- h) Railroad and utility rights of way and other easements;
- i) Parks and other public open spaces;
- j) Existing and proposed lots or parcels indicating dimensions and lot areas, lot numbers, proposed use of lots, and zoning setback requirements. Indicate in a table the type, total number, total area, and unit density for a residential plan, or in the case of a business or industrial plan, a statement identifying the principal types of office, business, and/or industrial uses that are to be included in the proposed development;
- k) Proposed drive approach aprons. The drive approach width(s) shall be dimensioned where the apron meets the roadway pavement and shall be dimensioned at the throat;
- l) Existing buildings and structures within or adjacent to the tract. Proposed building set-back lines, showing dimensions. Dimensions of proposed buildings to be constructed. Indicate any building removals or other alterations to occur on the property;
- m) Existing sewers, water mains, fire hydrants, culverts, other underground facilities and open drainage ditches in and within close proximity to the tract, indicating the size, depth, direction of flow and location. Suggested locations of proposed water lines, sanitary sewer lines, and storm sewer

lines, including a diagram of proposed drainage of streets and lots, with indication of areas to be used for storm water detention, their outlet into existing facilities, and proposed elevations of drains at critical points. Sanitary treatment plant, well and septic tank locations. Where public water and sewer are not available, a submission of the results of soil percolation tests shall be filed with the application. The location of soil percolation tests shall be indicated and keyed to the result submitted;

- n) An entranceway, perimeter, and common space landscaping and screening plan in accordance with [Section 1257.09](#) (Landscaping and Screening Requirements) and the Village Street Tree Ordinance;
- o) The locations, size (height), and material of all existing and proposed entranceway, perimeter, and common space fencing and/or walls;
- p) The location, height and dimensions of existing or proposed signs on the property;

The location and dimensions of existing or proposed off-street parking spaces and drive aisles for common areas. The drawing shall include the number and size of the proposed parking stalls including handicap spaces. The type of pavement composition of the parking area, *i.e.*, treated gravel, asphalt or concrete shall be indicated. If the off-street parking area is located next to an existing parking area or on another parcel, the method of circulation, if any between the two areas, shall be shown