

## Section 717.101 – Planned Unit Development (PUD)

- A. Purpose – The Planned Unit Development option provides design and use flexibility on a given site while also protecting present and future residents and public facilities from the adverse effects of unplanned or unregulated development. This approach enables the applicant to utilize innovative designs and methods to mitigate the impact of development, rather than having rigid numerical zoning standards dictate design parameters. The burden of establishing that a Planned Unit Development is within the parameters and intent of this Chapter is entirely upon the applicant. The Lenox Township Planning Commission shall determine whether the design contains sufficient safeguards to make the effects of the development compatible with the intent of this Chapter. This section's expressed purpose is to allow such items as setbacks, yards, parking spaces, and type of dwelling unit and use to be regulated on an overall impact or gross development basis rather than individually for each lot, use, or structure.
- B. Criteria – The criteria set forth below apply to Planned Unit Developments. Procedures outlined in this Section shall be followed, and the design submitted for Planning Commission review and approval.
  - 1. Size – A Planned Unit Development shall be of sufficient size to contain on the site, both physically and aesthetically, not only the development proposed but also any effects of such development that would ordinarily be apparent and different from the impact of permitted uses on the adjacent properties.
  - 2. Internal Design Standards – A Planned Unit Development shall be designed to provide future users, residents, visitors, and public service personnel with adequate light, air, privacy, circulation patterns, parking areas, and public services.
  - 3. External Effects – A Planned Unit Development shall be designed not to create any significant adverse impact upon adjacent properties, residents, or public facilities.
- C. Approval Procedures – Each of the following steps in the submittal process is mandatory, and failure to complete all will result in a suspension of the process until the requirements of this Chapter are met.
  - 1. Pre-Application Meeting – A PUD permit's application and approval procedure shall include one (1) or more informal conferences between the

applicant and the township planner. The applicant shall inform the Township Planner of the applicant's general intentions at this time. The Township Planner may request or recommend that the applicant request representatives from the relevant Township or County agencies (fire department, county sheriff, and other agencies) to attend such informal conferences. After consideration of comments from the pre-application meetings, the applicant shall prepare a preliminary plan.

2. Preliminary Plan Submission Requirements – Following the pre-application conference, the applicant may file a PUD application with the Township Planner to receive a formal Planning Commission review of a Preliminary Planned Unit Development plan for the subject property.
3. Planned Unit Development Review Procedures
  - a. Public Hearing – The Planning Commission shall conduct a public hearing on the preliminary site plan as outlined in this Chapter.
  - b. Preliminary Site Plan Approval/Action – Following the Public Hearing, the Planning Commission shall recommend approval, disapproval, or approval subject to specified conditions/revisions. Once approved, the preliminary site plan shall be valid for two (2) years. If a final site plan for the entire project or a phased portion is not submitted within two years, the PUD and preliminary site plan shall become null and void. The Planning Commission may approve one (1) extension of up to two (2) years.
  - c. Final Site Plan Approval – Upon approval of the preliminary site plan by the Planning Commission, the applicant shall submit a final site plan of the entire PUD or phased portion thereof and a filing fee to the Planning Commission for review and approval within the required time frame. The final submittal shall be prepared by incorporating any changes specified in the preliminary approval. The Planning Commission shall conduct a public hearing in accordance with this Chapter. Following the public hearing, the Commission shall act on the plan. If approved with conditions, the approval shall indicate whether review and approval of any required modifications shall be made by the Planning Commission or by the Township Planner. An approved final site plan shall be valid for three (3) years, during which time all permits necessary for the construction of the approved development shall be obtained. Failure to do so shall require the resubmittal of the previously approved final site plan to the Planning Commission for review and re-approval before issuing a Building Permit. The Planning Commission may reject or require

modifications to the plan if, in its opinion, conditions on or off-site have changed in such a manner as to necessitate the rejection or modification.

d. Performance Guarantee - To ensure compliance with the approved final site plan, the Township may require a performance guarantee.

4. Amendments to an Approved PUD – Minor amendments to an approved PUD site plan may be approved administratively by the Township Planner provided the changes comply with all applicable requirements of this Zoning Ordinance and all other Township regulations or state law.

A significant amendment to an approved PUD shall comply with the filing procedures for a PUD as contained herein. Significant amendments include, but are not limited to, an increase in density or the number of dwelling units, an increase in land area or building size, or the addition of other uses not authorized by the original Planned Unit Development (PUD) approval. The Township Planner shall determine if other similar changes constitute a significant amendment.