

ARTICLE 20

PLANNED UNIT DEVELOPMENT

SECTION 20.01 PURPOSE AND INTENT

The Planned Unit Development (PUD) is provided as a design and planning option, intended to permit flexibility in the regulation of land development; to encourage innovation in land use, form of ownership (such as site condominiums) and variety in design, layout, and type of structures constructed; to preserve significant natural, historical, and architectural 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 convenient recreational facilities; and to encourage the use and improvement of existing sites or existing buildings when the uniform regulations contained in other zoning districts alone do not provide adequate protection and safeguards for the site or its surrounding areas or flexibility to consider adaptive re-use of existing structures.

SECTION 20.02 PUD REGULATIONS

1. A PUD may be applied for in any zoning district. The grant of a planned unit development application shall require a rezoning by way of amendment of this Ordinance upon the recommendation of the Planning Commission and approval of the City Council.
2. Any land use or mix of land uses authorized in this Ordinance may be included in a planned unit development, subject to adequate public health, safety, and welfare protection mechanisms being designed into the development to ensure the compatibility of varied land uses both within and outside the development.

SECTION 20.03 PUD ELIGIBILITY

- ~~1. The applicant for a PUD must demonstrate all of the following criteria as a condition to being entitled to planned unit development treatment:~~
 - ~~a. Grant of the planned unit development will result in one of the following:~~
 - ~~• A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations;~~
~~or~~
 - ~~• Long term protection and preservation of natural resources and natural features of a significant quantity and/or quality, where such benefit would otherwise be~~

~~unfeasible or unlikely to be achieved without application of the planned unit development regulations; or~~

- ~~• Long term protection of historic structures or significant architecture worthy of historic preservation.~~
- ~~• A non conforming use shall, to a material extent, be rendered more conforming, or less offensive, to the zoning district in which it is situated.~~
- ~~b. The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, roads and utilities.~~
- ~~c. The proposed planned unit development shall be harmonious with public health, safety and welfare of the City.~~
- ~~d. The proposed planned unit development shall not result in an unreasonable negative environmental impact or loss of a historic structure on the subject site or surrounding land.~~
- ~~e. The proposed planned unit development shall not result in an unreasonable negative economic impact upon surrounding properties.~~
- ~~f. The proposed planned unit development shall be under single ownership and/or control such that there is a single person, corporation, or partnership having responsibility for completing the project in conformity with this Ordinance.~~
- ~~g. The proposed planned unit development shall be consistent with the Goals and Policies of the City of Northville Master Plan.~~
- ~~h. The proposed use or uses shall be of such location, size, density and character as to be in harmony with the zoning district in which it is situated, and shall not be detrimental to the adjoining zoning districts.~~
- ~~i. The PUD is not proposed in an attempt by the applicant to circumvent the strict application of zoning standards.~~

SECTION 20.04-03 RESIDENTIAL AND NON-RESIDENTIAL PUD STANDARDS

1. Residential uses shall be permitted with the following general density standards, based upon the zoning district in which the property is situated immediately prior to classification under this Article. Land area under water, public, road rights-of-way and private road easements shall not be included in the gross density calculation.

<u>District</u>	<u>Density Permitted (Dwelling Units/Gross Acres)</u>
R-1A First Density Residential	1 Dwelling Unit Per 12,000 sq. ft.
R-1B First Density Residential	1 Dwelling Unit Per 7,200 sq. ft.
R-2 Second Density Residential	(refer to Section 15.02)
R-3 Third Density Residential	(refer to Section 15.02)
R-4 Fourth Density Residential	(refer to Section 15.02)

- Additional density greater than specified above may be allowed at the discretion of the Planning Commission and City Council based upon a demonstration by the applicant of design excellence and conformance to the standards for PUD Eligibility listed in Section 20.~~03~~05 as well as conformance to the City of Northville Master Plan.
- The Planning Commission and City Council may allow a residential PUD in areas having a non-residential base zoning subject to compliance with the City Master Plan or a determination by the Planning Commission and City Council that the proposed development meets the general intent for PUD Eligibility, as described in ~~of~~ Section 20.~~03~~05.
- A Planned Unit Development incorporating non-residential uses such as commercial, industrial, institutional or a mix of non-residential and residential uses shall also be allowed subject to the design standards of this Article.

SECTION 20.~~05~~04 GENERAL DESIGN STANDARDS

- All regulations within the City Zoning Ordinance applicable to setback, parking and loading, general provisions, and other requirements shall be met in relation to each respective land use in the development based upon the zoning districts in which the use is listed as a Principal Uses Permitted. In all cases, the strictest provisions shall apply.

Notwithstanding the immediately preceding paragraph, deviations with respect to such regulation may be granted as part of the overall approval of the planned unit development, provided there are features or elements demonstrated by the applicant and deemed adequate by the City Council upon the recommendation of the Planning Commission designed into the project plan for the purpose of achieving the objectives of this Section.

- The uses proposed will have a beneficial effect, in terms of public health, safety, welfare, or convenience, on the present and future potential surrounding land uses.
- The uses proposed will not adversely affect the existing public utilities and circulation system, surrounding properties, or the environment.
- The public benefit shall be one which could not be achieved under the regulations of the underlying district alone, or that of any other zoning district.

5. The number and dimensions of off-street parking shall be sufficient to meet the minimum required by the ordinances of the City of Northville. However, where warranted by overlapping or shared parking arrangements, the Planning Commission ~~or~~ and City Council may reduce the required number of parking spaces.
6. All streets and parking areas within the planned unit development shall meet the minimum construction and other requirements of City ordinances, unless modified by the Planning Commission and City Council.
7. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
8. Efforts shall be made to preserve significant natural, historical, and architectural features and the integrity of the land, including MDEQ regulated and non-MDEQ regulated wetlands or floodplains.
9. Thoroughfare, drainage, and utility design shall meet or exceed the standards otherwise applicable in connection with each of the respective types of uses served.
10. There shall be underground installation of utilities, including electricity and telephone.
11. The pedestrian circulation system, and its related walkways and safety paths, shall be separated from vehicular thoroughfares and ways.
12. Signage, lighting, landscaping, building materials for the exterior of all structures, and other features of the project, shall be designed and completed with the objective of achieving an integrated and controlled development, consistent with the character of the community, surrounding development or developments, and natural features of the area.
13. Where non-residential uses adjoin off-site residentially zoned or used property, noise reduction and visual screening mechanisms such as earthen and/or landscape berms and/or decorative walls, shall be employed in accordance with Section 18.08.
14. The proposed density of the planned unit development shall be no greater than that which would be required for each of the component uses (measured by stated acreage allocated to each use) of the development by the district regulations of the underlying zoning district unless otherwise permitted by the Planning Commission and City Council.

SECTION 20.06–05 PROCEDURE FOR REVIEW

1. Pre-application Conference - Prior to the submission of an application for planned unit development approval, the applicant shall meet with the City Manager, together with any staff and consultants whom the City Manager deems appropriate. The applicant shall present at such conference, or conferences, at least a sketch plan of the proposed planned

unit development, as well as the following information: total size of the project; a statement of the number of residential units, if any; the number and type of non-residential uses, the size of the area to be occupied by each type of use; the known deviations from ordinance regulations; the number of acres to be preserved as open or recreational space; and, all known natural features or historic features to be preserved.

2. PUD Eligibility - Following the pre-application conference, the applicant shall apply for PUD Eligibility. The applicant shall submit preliminary sketch plans and/or other written documentation explaining the proposed project and request review of PUD eligibility from the Planning Commission. ~~The Planning Commission shall evaluate these preliminary plans for compliance with PUD Regulations outlined in Section 20.03.~~ The Planning Commission shall review the development request based upon the criteria in “a” below, and convey written or verbal comments to the applicant regarding the PUD eligibility.

The applicant may, at their own risk, combine their request for PUD eligibility with submission of the Preliminary Plan, as described in Section 20.06. Instead of a sketch plan, as described above, the applicant shall submit a preliminary site plan, as well as all other information required for both PUD Eligibility and Preliminary Plan review. The Planning Commission will then use the PUD eligibility criteria below, as well as the standards applicable to Preliminary Plan review, as outlined in 20.03 and 20.04.

- a. PUD Eligibility Criteria: The applicant for a PUD must demonstrate all of the following criteria as a condition to being entitled to planned unit development treatment:

- Grant of the planned unit development will result in one of the following:
 - A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or
 - Long-term protection and preservation of natural resources and natural features of a significant quantity and/or quality, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or
 - Long-term protection of historic structures or significant architecture worthy of historic preservation; or
 - A non-conforming use shall, to a material extent, be rendered more conforming, or less offensive, to the zoning district in which it is situated.

- The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, roads, and utilities.
- The proposed planned unit development shall be harmonious with public health, safety and welfare of the City.
- The proposed planned unit development shall not result in an unreasonable negative environmental impact or loss of a historic structure on the subject site or surrounding land.
- The proposed planned unit development shall not result in an unreasonable negative economic impact upon surrounding properties.
- The proposed planned unit development shall be under single ownership and/or control such that there is a single person, corporation, or partnership having responsibility for completing the project in conformity with this Ordinance.
- The proposed planned unit development shall be consistent with the Goals and Policies of the City of Northville Master Plan.
- The proposed use or uses shall be of such location, size, density and character as to be in harmony with the zoning district in which it is situated, and shall not be detrimental to the adjoining zoning districts.
- The planned unit development is not proposed in an attempt by the applicant to circumvent the strict application of zoning standards.

3. Neighborhood Review - The applicant is encouraged to meet with Neighborhood Associations and surrounding land owners prior to submittal of preliminary plans to the Planning Commission.

SECTION 20.07—06 PRELIMINARY PLAN

Following a determination of eligibility, the applicant shall submit a preliminary site plan of the proposed planned unit development. A narrative report shall accompany the site plan providing a description of the project, discussion of the market concept of the project, and explanation of the manner in which the criteria set forth in the preceding design standards has been met.

~~The applicant may request that the Planning Commission review the preliminary PUD plans under Section 20.07 and final PUD plans under Section 20.08 concurrently rather than under two (2) separate phased applications.~~

1. *Information Required.* The preliminary site plan and application for a PUD shall contain at a minimum the following information set forth below.

- ~~One (1) copy of the Preliminary PUD Site Plan, reduced in size to 8 1/2 x 11 inches, on clear acetate or similar material suitable for use with an overhead projector.~~
- ~~In addition to the 8 1/2 x 11 transparency, large-Large~~ size plans shall ~~also~~ be submitted. Sheet size of submitted drawings shall be at least 24-inches by 36 inches, with graphics and scale.
- Plans providing:
 - the applicant's name;
 - name of the development;
 - the preparer's name and professional seal of architect, engineer, surveyor or landscape architect indicating license in the State of Michigan;
 - date of preparation and any revisions;
 - north arrow;
 - property lines and dimensions;
 - complete and current legal description and size of property in acres;
 - small location sketch of the subject site and area within one-half mile; at a scale of no less than 1" = 1000';
 - zoning and current land use of applicant's property and all abutting properties and of properties located across any abutting public or private street from the PUD site;
 - lot lines and all structures on the property and within one-hundred (100) feet of the PUD property lines;
 - location of any access points on both sides of the street within one-hundred (100) feet of the PUD site along streets where access to the PUD is proposed.
 - existing locations of significant natural, historical, and architectural features, existing drainage patterns, surface water bodies, floodplain areas, MDEQ designated or regulated wetlands with supporting documentation and a tree survey indicating the location and diameter (in inches, measured four feet above grade) trees greater than 6" in diameter.

- existing and proposed topography at five (5) foot contour intervals, or two (2) foot contour intervals (two foot intervals required for final site plan), and a general description of grades within one-hundred (100) feet of the site.
- dimensions of existing and proposed right-of-way lines, names of abutting public streets, proposed access driveways and parking areas, and existing and proposed pedestrian and/or bicycle paths.
- location of existing buildings, utility services (with sizes), and any public or private easements, noting those which will remain and which are to be removed.
- layout and typical dimensions of proposed lots, footprints and dimensions of proposed buildings and structures; uses with the acreage allotted to each use. For residential developments: the number, type and density of proposed housing units.
- general location and type of landscaping proposed (evergreen, deciduous, berm, etc.) noting existing trees and landscaping to be retained.
- size, type and location of proposed identification signs.
- if a multi-phase **Planned Unit Development** is proposed, identification of the areas included in each phase. For residential uses identify the number, type, and density of proposed housing units within each phase.
- Any additional graphics or written materials requested by the Planning Commission or City Council to assist the City in determining the appropriateness of the PUD such as, but not limited to: aerial photography; market studies; impact on public primary and secondary schools and utilities; traffic impacts using trip generation rates recognized by the Institute of Transportation Engineers for an average day and peak hour of the affected roadways; impact on significant natural, historical, and architectural features and drainage; impact on the general area and adjacent property; description of how property could be developed under the regulations of the underlying district; preliminary architectural sketches, building elevations, and conceptual plans or lists of building materials and estimated construction cost.
- A separately delineated specification of all deviations from this ordinance which would otherwise be applicable to the uses and development proposed in the absence of this planned unit development article.
- An explanation of why the submitted planned unit development plan is superior to a plan which could have been prepared under strict adherence to related sections of this Article.

2. *Planning Commission Action.* The Planning Commission shall review the proposed Preliminary Plan and shall schedule a public hearing if the project has been deemed eligible for PUD treatment, and the Planning Commission considers the information provided is generally complete. ~~The Preliminary Plan shall be noticed for~~ public hearing before the

Planning Commission shall be noticed in accordance with Article 29 and applicable state laws including P.A. 110 of 2006, as amended. Following the Public Hearing, the Planning Commission shall report its conclusions, determine a basis for its recommendation, and transmit its recommendation and summary comments received at the Public Hearing to the City Council. The Planning Commission shall review the ~~preliminary site plan~~ Preliminary Plan and shall take one (1) of the following actions: ~~(Rev. 12/06)~~

- Approval. Upon finding that the Preliminary Plan meets the criteria set forth in the Purpose and Intent and Sections 20.01-20.~~0504~~, the Planning Commission may grant recommend preliminary approval. Approval shall constitute approval of the uses and design concept as shown on the Preliminary Plan and shall confer upon the applicant the right to submit the preliminary PUD Plan to the City Council. Approval of the Preliminary Plan by the Planning Commission shall not bind the City Council to approval of the Preliminary Plan.
 - Approval with Changes or Conditions. The Planning Commission may grant recommend conditional approval subject to modifications as performed by the applicant.
 - ~~Postpone~~ Postpone and Refer Back to the Applicant. Upon finding that the Preliminary Plan does not meet the criteria set forth in the Purpose and Intent or Sections 20.01-20.~~0504~~, but could meet such criteria if revised, the Planning Commission may ~~postpone action~~ postpone consideration of the Preliminary Plan, and refer it back to the applicant for until a revised Preliminary Plan is resubmitted revisions based on the Planning Commissioners' comments.
 - Postpone to a Date Certain: Upon finding that the necessary information, as determined by the Planning Commission, is not presented or available, the Planning Commission may postpone consideration of the Preliminary Plan to a date certain when a regularly-scheduled Planning Commission meeting will be held, or a special Planning Commission meeting has been scheduled.
 - Denial. Upon finding that the Preliminary Plan does not meet the criteria set forth in the Purpose and Intent or Sections 20.01, ~~20.02 and 20.03~~ 20.04, the Planning Commission shall ~~deny preliminary approval~~ recommend denial of the Preliminary Plan.
3. *City Council Action.* The Preliminary PUD plan shall be submitted to the City Council in conjunction with comments and recommendation from the Planning Commission. Following review, the City Council shall take one of the following actions: Approval, Approval with Conditions, ~~Postponement~~ Refer Back to the Applicant, or Denial. The City Council decision shall be based upon criteria established within this Article. Approval of the Preliminary PUD by the City Council shall constitute amendment of the City of Northville Zoning Map. The applicant shall then be authorized to proceed with final site plan approval through the Planning Commission.

SECTION 20.08-07 FINAL PLAN

Within six (6) months following receipt of the ~~Planning Commission comments on the preliminary plan and~~ City Council action, the applicant shall submit a final plan and supporting materials conforming ~~with to~~ this Section. If a final plan is not submitted by the applicant for final approval within six (6) months following receipt of City Council action, the preliminary plan approval becomes null and void unless an extension is granted by the Planning Commission. ~~(Rev. 2/11) The Planning Commission may, based upon the determination that good cause exists, grant one, six-month extension. The extension must be requested by the applicant, and this request must be heard and granted by the Planning Commission before the preliminary plan expires.~~

1. *Information Required.* A final site plan and application for a PUD shall at a minimum contain the following information:
 - A site plan meeting Article 19 Site Plan requirements, or Site Condominium requirements, or a Tentative Preliminary Plat in accordance with the City Subdivision Ordinance.
 - A separately delineated specification of all deviations from this ordinance which would otherwise be applicable to the uses and development proposed in the absence of this planned unit development article.
 - A specific schedule of the intended development and construction details, including phasing or timing.
 - A specific schedule of the general improvements to constitute a part of the development, including, without limitation, lighting, signage, the mechanisms designed to reduce noise, utilities, and visual screening features.
 - A specification of the exterior building materials with respect to the structures proposed in the project.
 - Signatures of all parties having an interest in the property.
 - Draft PUD agreement with preliminary conditions.
2. *Planning Commission Final Action.* The Planning Commission shall review the final site plan and shall take one of the following actions:
 - Approval. Upon finding that the final Plan meets the criteria established in the Purpose and Intent of this Ordinance and Sections 20.01-20.0504, the Planning Commission may grant final approval.
 - Approval with Changes or Conditions. The Planning Commission may grant conditional approval subject to modifications as performed by the applicant as long as

the plan meets the criteria established in the Purpose and Intent of this Ordinance and Sections 20.01-20.0504.

- ~~Postpone~~Postpone and Refer Back to Applicant. Upon finding that the Final Plan does not meet the criteria set forth in the Purpose and Intent of this Ordinance and Sections 20.01-20.0504, the Planning Commission may ~~postpone action until a revised plan is submitted~~ postpone consideration of the Final Plan, and refer it back to the applicant for revisions, based on the Planning Commissioners' comments.
- Postpone to a Date Certain: Upon finding that the necessary information, as determined by the Planning Commission, is not presented or available, the Planning Commission may postpone consideration of the Preliminary Plan to a date certain when a regularly-scheduled Planning Commission meeting will be held, or a special Planning Commission meeting has been scheduled.
- Denial. Upon finding that the Final Plan does not meet the criteria set forth in the Purpose and Intent Section of this Ordinance and Sections 20.01-20.0504, the Planning Commission shall deny final approval.

~~3. City Council Final Action. If the proposed development has been approved or approved with conditions, the Planning Commission recommendation shall be submitted to and reviewed by the City Council. Prior to making a decision, the City Council shall conduct a public hearing in accordance with Section 16.01 and applicable State laws, including PA 110 of 2006 as amended. Following the Public Hearing, the City Council shall report its conclusions and establish a basis for its decisions. The City Council shall take one of the following actions:~~

- ~~Approval. Upon finding that the final Plan meets the criteria established in the Purpose and Intent and Sections 20.01-20.05, and any conditions placed by the Planning Commission, the City Council may grant final approval. If the Final PUD is in the form of a subdivision, final PUD approval shall also grant the application permission to submit for approval additional phases of plat review including Final Preliminary Plat and Final Plat in accordance with the City's Subdivision Ordinance.~~
- ~~Approval with Changes or Conditions. The City Council may grant approval and attach additional conditions if the Plan meets the criteria established in the Purpose and Intent Sections of this Ordinance and Sections 20.01-20.05.~~
- ~~Postpone. Upon finding that the Final Plan does not meet the criteria set forth in the Purpose and Intent of this Ordinance and Sections 20.01-20.05, the City Council may postpone action until a revised plan is submitted.~~
- ~~Denial. Upon finding that the Planning Commission has denied the application for Final Plan and that the application does not meet the criteria set forth in the Purpose and Intent Sections of this Ordinance or Sections 20.01-20.05, the City Council shall deny said application.~~

4. All actions on the preliminary plan or final plan by the Planning Commission and the City Council shall state the reasons for approval, conditional approval, postponement or denial within the body of the motion.
5. Approval of the ~~Final~~PUD by the City Council and final site plan approval by the Planning Commission shall constitute amendment of the City of Northville Zoning Map. The applicant shall then be authorized shall authorize the applicant to proceed with any necessary permits such as final platting or construction submittals, for Building Department approval. All such permits shall be subject to any conditions or changes included in the motions to approve the PUD and final site plan. If the PUD is in the form of a subdivision, PUD approval from City Council and final site plan approval by the Planning Commission shall also grant the applicant permission to submit for approval of additional phases of plat review including Final Preliminary Plat and Final Plat in accordance with the City's Subdivision Ordinance.

SECTION 20.09—08 PUD CONDITIONS

1. Reasonable conditions may be required by the Planning Commission before the approval of a planned unit development, to the extent authorized by law, for the purpose of ensuring that existing public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources and energy, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner.
2. Permit conditions may be drafted in writing specifying conditions of approval and use. Conditions may stipulate that the PUD may only be used for selective land uses provided the restraint(s): advance, rather than injure, the interests of adjacent landowners; are a means of harmonizing private interests in land thus benefiting the public interest; are for the purposes of ensuring that the PUD fulfills the purposes and intent of this section and thus benefit the public interest; and/or possess a reasonable relationship to the promotion of the public health, safety, and welfare. A change of land use during operation of the PUD will render the PUD null and void or will require application for a revised PUD.
3. Conditions imposed shall be designed to protect natural resources and the public health, safety, and welfare of individuals in the project and those immediately adjacent, and the community as a whole; are reasonably related to the purposes affected by the planned unit development; and, necessary to meet the intent and purpose of this Ordinance, and be related to the objective of ensuring compliance with the standards of this Ordinance. All conditions imposed shall be made a part of the written record of the approved planned unit development which shall include a site plan and written PUD permit conditions signed by the City and the applicant.

4. In the event that Conditions set forth herein are not complied with, then the Building Official shall have the right to compel a Show Cause Hearing by the Planning Commission, or issue a violation pursuant to Article ~~24-33~~ of this Ordinance. At the Show Cause Hearing, additional conditions may be imposed by the Planning Commission, or the City may require submittal of a new PUD application.

SECTION 20.10-09 PHASING AND COMMENCEMENT OF CONSTRUCTION

1. Phasing - Where a project is proposed for construction in phases, the planning and designing shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall also contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area. In addition, in developments which include residential and non-residential uses, the relative mix of uses and the scheduled completion of construction for each phase shall be disclosed and determined to be reasonable in the discretion of the City Council after recommendation from the Planning Commission.
2. Commencement and Completion of Construction - ~~Construction-Building or construction permits shall be secured and construction~~ shall be commenced within one (1) year following the date the Planning Commission granted final approval of a planned unit development and shall proceed substantially in conformance with the schedule set forth by the applicant. If construction is not commenced within such time, any approval of a site plan on the project shall expire and be null and void unless an extension has been granted by the Planning Commission. The Planning Commission may, based upon the determination that good cause exists, grant one, six-month extension. The extension must be requested by the applicant, and this request must be heard and granted by the Planning Commission before the final plan expires. Moreover, in the event a site plan has expired, the City Council may take action, in accordance with Article 29 of the City of Northville Zoning Ordinance, and may reclassify the property to the previous zoning classification or to a different zoning classification in accordance with amendment procedures, including Planning Commission review and public hearing(s), as required by the Ordinance. ~~(Rev. 8/11)~~

SECTION 20.11-10 EFFECT OF APPROVAL

When approved, the planned unit development amendment, with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvements and uses shall be in conformity with such amendment. Notice of adoption of the final PUD site plan and PUD Permit Conditions shall be recorded with the Wayne County or Oakland County Register of Deeds at the applicant's expense.

SECTION 20.12--11 DEVIATIONS FROM APPROVED FINAL PUD SITE PLAN

Deviations from the approved Final PUD Site Plan may occur only under the following conditions:

1. An applicant or property owner who has been granted Final PUD Site Plan approval shall notify the Building Official of any proposed amendment to such approved site plan or PUD conditions at the time they occur.
2. Minor changes may be approved by the City Building Official upon certification in writing to the Planning Commission that the proposed revision does not alter the basic design nor any conditions of the plan imposed upon the original approval by the Planning Commission. In considering such a determination, the Building Official shall consider the following to be a minor change:
 - a. For residential buildings, the size of structures may be reduced, or increased by five (5) percent provided that the overall density of units does not increase.
 - b. Square footage of non-residential buildings may be decreased, or increased by up to five (5) percent or ten thousand (~~10,000~~2,500) square feet, whichever is smaller;
 - c. Horizontal ~~and/or vertical~~ elevations may be altered by up to five (5) percent;
 - d. Movement of a building footprint by no more than ten (10) feet as long as required setbacks are not compromised;
 - e. Designated “Areas not to be disturbed” may be increased;
 - f. Plantings approved in the Final PUD Landscape Plan may be replaced by similar types of landscaping on a one-to-one or greater basis;
 - g. Improvements to site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.;
 - h. Changes of building materials to another of higher quality, as determined by the Building Official;
 - i. Changes in floor plans which do not alter the character of the use;
 - j. Slight modification of sign placement or reduction of size;
 - k. Relocation of sidewalks and/or refuse storage stations;
 - l. Internal rearrangement of parking lots which do not affect the number of parking spaces or alter access locations or design;

- m. Changes required or requested by the City for safety reasons shall be considered a minor change.

- 3. Should the Building Official determine that the requested modification to the approved Final PUD Site Plan is not minor or if a change in land use has occurred which is different than land uses previously approved, resubmittal to the Planning Commission shall be necessary and new public hearing and notification under Section 20.~~08-06~~ shall be required.

- 4. Should the Planning Commission determine that the modifications to the Final PUD Site Plan significantly alter the intent of the Preliminary PUD Site Plan, a new submittal illustrating the modification shall be required.

- 5. Any deviation from the approved PUD site plan, except as authorized in this Section, shall be considered a violation of this article and treated as a violation subject to Article ~~24-33~~ of this Ordinance. Further, any such deviation shall invalidate the PUD designation.