

ORDINANCE NO. 2024-02a
AN ORDINANCE TO AMEND CHAPTER 216 ZONING ORDINANCE 216.1315 PLANNED UNIT DEVELOPMENTS OF THE VILLAGE CODE FOR THE VILLAGE OF BLISSFIELD.

WHEREAS, the Village Council has established council goals and objectives with one of them being to update ordinances; and

WHEREAS, the following ordinance amendments would align the Village with the Master Plan; and

WHEREAS, the amendment would clarify the process for applying for a planned unit development; and

NOW, THEREFORE, be it ordained by the governing body of the Village of Blissfield, Michigan that Chapter 216.1315 be adopted following passage and publication to adopt hereinafter specified:

216.1315 - Planned Unit Residential Developments.

~~Sec. 1315. All Planned Residential Developments (PRD) shall be regulated as set forth in this section, the approved plan, any special conditions imposed by the Village Council and other applicable provisions of this Ordinance.~~

~~1. For purposes of computing and controlling population density, the following standards shall apply:~~

~~(a) The entire gross area of the Planned Residential Development, including street right-of-way, parks, schools, and other public or private open space shall be included in the computation of area.~~

~~Subaqueous or submerged bottom land of lakes or streams shall be excluded in computing the area of a parcel except that when land abutting said lakes or streams is substantially developed in park or open space for the use of residents of the PRD, the surface area of said lakes or streams may be used to compute density.~~

~~(b) Maximum density permitted shall be 24 bedrooms per acre in PRD's, subject to the following:~~

~~(1) Not less than 33% percent of the total number of bedrooms shall be in single family dwellings.~~

~~(2) Single family detached dwellings shall be assumed to have three bedrooms for each dwelling, no more and no less.~~

~~(3) For purposes of computing density, a den, library, or other extra room shall not count as a bedroom unless a closet opens directly to said room.~~

~~2. In order to provide an orderly transition of density, where the project being proposed for use as a PRD immediately abuts a R-1 or R-2 District, the Village Council may require that the area immediately abutting and within 300 feet of said R-1 or R-2 District shall be developed in single family lots, or shall be developed as open or recreational space.~~

~~3. Single family dwellings shall be subject to the requirements of Article XII, Schedule of Regulations, applicable to the R-1 or R-2 Districts, except as otherwise modified in the approved plan.~~

~~4. Multiple dwellings shall be subject to the requirements of Article XII, Schedule of Regulations, except as otherwise modified in the approved plan.~~

~~5. Submittal of Proposed PRD Plan. An application shall be made to the Village Clerk for review and recommendation by the Planning Commission of the following:~~

~~(a) A boundary survey of the exact acreage being requested done by a registered land surveyor or civil engineer (scale: not smaller than 1" equals 200').~~

~~(b) A topographic map of the entire area at a two foot contour interval. This map shall indicate all major stands of trees, bodies of water and unbuildable areas (scale: not smaller than 1" equals 200').~~

~~(c) A recent aerial photograph of the area shall be provided (scale: not smaller than 1" equals 200').~~

(d) A preliminary plat for the entire area carried out in such detail as to indicate the functional uses and dwelling unit types being requested; the proposed population densities; a traffic circulation plan; sites being reserved for schools, service activities, playgrounds, recreation areas, parking areas, and other open spaces and areas to be used for the public or by residents of the Planned Residential Development (scale: not smaller than 1" equals 200').

(e) An indication of the contemplated storm and sanitary sewer plan, and a preliminary topographic map indicating how the land area is proposed to be shaped.

(f) A written statement explaining in detail the full intent of the sponsor, indicating the type of dwelling units contemplated, resultant population and providing supporting documentation such as: soil survey, studies supporting land use requests, and the intended scheduling of the development.

6. Review of Proposed PRD Plan. Upon receipt of an application as a preliminary submittal, the Zoning Administrator shall refer such request to the Planning Commission for its report and recommendation. Prior to making such report and recommendation, the Planning Commission shall hold a public hearing on the application. Notification for the public hearing shall be as specified in Section 15.06.1 [216.1507] of this Ordinance. Following said public hearing and receipt of the Planning Commission's report and recommendation, the Village Council may approve said application and accompanying plan only upon finding that:

(a) All applicable provisions of this section and this Ordinance have been met. Insofar as any provision of this section shall be in conflict with the provisions of any other section of this Ordinance, the provisions of this section shall apply to the land embraced within a Planned Residential Development Area.

(b) Adequate areas have been provided for all utilities, schools, walkways, playgrounds, recreation areas, parking areas, and other open spaces and areas to be used by the public or by residents of the community.

(c) Open space may include parks and recreation areas, wooded lots, schools, golf courses, water areas, and any use of a similar nature approved by the Village Council. Provided, however, that at least one acre for each 200 bedrooms shall be preserved as park, recreation, or open space rather than as a golf course, water area, right of way, school, or similar limited use area.

(d) There is or will be at the time of development an adequate means of disposing of sanitary sewage and of supplying the development with water and that the road system and storm water drainage system is adequate.

(e) The plan provides for an efficient, aesthetic, and desirable use of the open areas and the plan is in keeping with the physical character of the Village and the area surrounding the development.

(f) The applicant has made provisions, satisfactory to the Village Council, to assure that those areas shown on the plan for use by the public or occupants of the development will be or have been committed for that purpose. The Village Council may require that conveyances or other documents be placed in escrow to accomplish this.

(g) Provisions, satisfactory to the Village Council have been made to provide for the future financing of any improvements shown on the plan for open space areas, and common use areas which are to be included within the development and that maintenance of such improvements is assured by a means satisfactory to the Village Council.

(h) The cost of installing all streets and the necessary utilities has been assured by a means satisfactory to the Village Council.

7. Approval of Planned Residential Development by Village Council.

(a) If the Village Council shall determine to grant the application and approve the plan, a permit shall be issued setting forth the conditions upon which the approval is based.

(b) Once an area has been included within a plan for Planned Residential Development and such plan has been approved by the Village Council, no development may take place in such area nor may any use

thereof be made except in accordance with said plan or in accordance with a Village Council approved amendment thereto, unless the plan is terminated as provided herein.

(c) An approved plan may be terminated by the applicant or its successors or assigns, prior to any development within the area involved, by filing with the Village and recording in the Lenawee County Records an affidavit so stating. The approval of the plan shall terminate upon said recording.

(d) No approved plan shall be terminated after development commences except with the approval of the Village Council and of all parties in interest in the land.

(e) Within a period of two years following approval by the Village Council, final plats and/or site plans for an area embraced within the Planned Residential Development must be submitted as hereinafter provided. If such plats and/or plans have not been submitted and approved within the two year period, the right to develop under the approved plan may be terminated by the Village.

8. Before any zoning compliance permit shall be issued for buildings and structures within the area of Planned Residential Development, final plats and/or site plans for a project area shall be submitted to the Zoning Administrator for review and recommendation by the Planning Commission of the following:

(a) Said site plans and plats shall be fully dimensioned and shall show a fully scaled plan view of all buildings (except detached single family dwellings), all public right-of-ways and private streets, areas within each project area and the proposed ultimate density thereof, parking areas, utilities, churches, schools, and areas to be set aside for the use of the public or by residents within the development (scale: 1" equals 50').

(b) The proposed topography two foot contour interval shall be superimposed on all plats and plans (scale: 1" equals 50').

(c) Floor plans typical of all residential buildings except detached single family, shall be submitted and the site plan shall indicate which floor plan is applicable to each such building.

(d) Each final plat and/or site plan submitted within the Planned Residential Development shall, either individually or in combination with previously approved project areas, meet the standards of the Ordinance as to density.

9. Review and approval of plats shall comply with Act 288 of the Public Acts of 1967 and the Subdivision Regulations Ordinance of the Village in addition to the requirements of this section.

10. Before approving of any final plat and plan, the Village Council shall determine:

(a) That all portions of the project area shown upon the approved plan for the Planned Residential Development for use by the public or the residents of lands within the Planned Residential Development have been committed to such uses in accordance with the Planned Residential Development contract.

(b) That the final plats and/or site plans are in substantial conformity with the approved plan for the PRD.

(c) That provisions have been made in accordance with the PRD contract to provide for the financing of any improvements shown on the project area plan for open spaces and common areas which are to be provided by the applicant and that maintenance of such improvements is assured in accordance with the PRD contract.

(d) That a dedication of public roads shall have been made so as to cause continuity of public access between the adjacent major thoroughfare and ingress and egress to all private development within the project area plan.

11. During construction of the Planned Residential Development, building permits for residential structures shall be issued in such a manner as to assure that on a cumulative basis not less than 33 1/3 percent of the total number of bedrooms (for which permits are or have been issued) shall be in single-family dwellings. Occupancy permits shall not be issued for other than single family dwellings until occupancy permits have been issued for not less than 50 percent of the single family dwellings which are necessary to maintain the above 33 1/3 percentage of bedrooms. The Planning Commission may waive these requirements to the extent that a minimum number of model units could be displayed by the developer.

12. In order to assure the development of open space in conjunction with a PRD, the Village Council shall include in the contract recorded with the Register of Deeds, a schedule for the completion of dwelling units. The developer may suggest a schedule for review by the Village Council.

13. If development of approved final plats and/or site plans is not substantially completed in three years after approval, further final submittals under the Planned Residential Development shall cease until the part in question is completed or cause can be shown for not completing same.

14. Any changes or amendments requested shall terminate approval of the overall plan until such changes or amendments have been reviewed and approved as in the first instance. In instances where modifications are necessary to the plan, the Zoning Administrator may request that the plan be again submitted for review if, in his or her judgment, a substantial change is being made in the plan.

A. *Purpose. This article provides standards, general regulations, and procedures for planned unit developments.*

B. *Petition Procedures.*

a. *A petition for a planned unit development shall be for an amendment to the zoning ordinance. A petitioner shall have a substantial interest in the subject property prior to filing the petition. The petition shall be in the name of and signed by all record owners or their legal representatives. The petitioner shall provide evidence to the village of full ownership of the land in the petition, such as legal title or execution of a binding sales agreement prior to approval of the petition by the village council. To be eligible for a planned unit development, the applicant must present a proposal for development that meets each of the following:*

i. *The proposed development 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 shall have significant natural or historic features which will be preserved through development under a planned unit development as determined by the planning commission or will provide a variety of housing types or a design which preserves common open space and/or provides special site features.*

iii. *A proposed development shall result in a recognizable and substantial benefit, both to the residents of the property and to the overall quality of life in the village. The benefits can be provided through site design elements in excess of the requirements of this ordinance, such as: high quality architectural design, extensive landscaping, provision of transition areas from adjacent residential land uses, unique site design features, unified access, preservation of woodlands and open space, particularly along major thoroughfares, and buffering development from lakes, rivers, streams, and wetlands. This benefit should accrue, in spite of any foreseeable detriments of the proposed development.*

iv. *The applicant shall guarantee to the satisfaction of the planning commission that all open space portions of the proposed development will be maintained in the manner approved. Documents shall be presented that bind all successors and future owners in fee title to commitments made as a part of the proposal. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is provided to the village and the land uses continue as approved.*

v. *The site shall be served by public storm sewers, public sanitary sewers, and public water systems.*

- b. *The petition shall be filed with the zoning administrator, who shall transmit a copy of the petition to the planning commission. The petition shall be filed in adequate time to meet publication requirements for the public hearing. Notice shall be given as outlined in this chapter. Fees which shall be set from time to time by resolution of the village council shall be paid at the time of filing; no transmittals may be made unless the required fees have been paid.*
 - c. *Upon receipt of the petition from the zoning administrator, the planning commission shall complete a study of the petition within 65 days of receipt.*
 - d. *At the public hearing the petitioner shall present evidence regarding the following characteristics of the proposed development:*
 - i. *General character and substance.*
 - ii. *Objectives and purposes to be served.*
 - iii. *Compliance with regulations and standards.*
 - iv. *Scale and scope of proposed development.*
 - v. *Economic feasibility of the proposed development.*
 - vi. *Community impact, in terms of streets, traffic, schools, recreation facilities, costs and revenues, and utility systems.*
 - vii. *Environmental impact assessment.*
 - viii. *Development schedules.*
 - ix. *Compliance with policies in the general development plan.*
 - e. *The planning commission shall submit a report on the petition to the village council. The report shall contain the commission's analysis of the petition, its findings regarding the standards in this article, recommended conditions of approval, if approval is recommended, and recommended action.*
 - f. *The village council shall publish notice of the public hearing at least 15 days prior to the hearing.*
 - g. *The village council shall hold a public hearing on the petition. The petitioner shall present the evidence in subsection 216.1315 B.d., preceding, at the council public hearing.*
 - h. *The village council shall act on the petition as it would any amendment to the zoning ordinance.*
 - i. *Within 30 days of approval of the petition, the village administrator shall accurately note, and the village clerk shall attest, the amendment on the official zoning map.*
- C. *Information Required for a Petition.*
- a. *Name and address of the petitioner.*
 - b. *Petitioner's interest in the property; if not the owner, names and addresses of all owners.*
 - c. *Date of filing with the village office.*
 - d. *Signatures of petitioners and all owners, certifying the accuracy of the required information.*
 - e. *Preliminary site plan signed and sealed by a professional architect containing the following information:*
 - i. *The information required within this section.*
 - ii. *Existing topography at one-foot contour intervals.*
 - iii. *Proposed streets and driveways, width of rights-of-way or easements, surface type and width.*
 - iv. *General proposed utility layout of sanitary sewer, water, and stormwater systems.*
 - v. *Density of use for each use area.*
 - vi. *Location, size and use of common areas and open space.*

- vii. General description of the organization that will own and maintain common areas and open space.
- viii. General description of covenants, master deeds, easements, or other restrictions to be imposed on land or buildings.
- ix. Description of the petitioner's intentions to sell or lease land and buildings.
- x. General landscape concepts showing tree areas to be preserved or added, berms, ponds, and similar features.
- xi. Delineation of areas to be subdivided under the Subdivision Control Act or the Condominium Act.
- xii. Identification of condominium units and limited and general common elements in condominium areas.
- xiii. Average initial sales prices and average initial rents for dwelling units.
- xiv. Information requirements may be modified in accordance with subsection 216.1307, or by other reasonable requirements to meet the particular needs of the individual petition, such as a historic review in the case of historic structures.
- f. The planning commission shall determine, and shall provide evidence of its findings in its report to the village council, that the petition meets the following standards:
 - i. The proposed development shall conform to the general development plan, or represents a land use policy that, in the planning commission's opinion, is a logical and acceptable change in the existing zoning for the site.
 - ii. The proposed development shall conform to the intent, regulations, and standards for a planned unit development in the zoning ordinance.
 - iii. The proposed development shall be adequately served by public facilities and services such as streets, police and fire protection, drainage, water and sanitary sewer services, sidewalks and refuse disposal.
 - iv. Common open space, other common areas, and all other elements of the project shall be so planned that they will create a unified open and recreation area system, with open space and all other elements in appropriate locations, properly related to each other, the site, and the surrounding land.
 - v. The petitioner shall have made provision through written agreement, easement or otherwise, for the dedication of the common or public areas to assure that areas shown on the area plan for common or public use have been or will be irrevocably committed for that purpose. Provision shall be made to provide financing for improvements shown on the area plan for open space or other common areas, and to assure regular maintenance of the improvements.
 - vi. The location of proposed uses, layout of the site, and its relation to streets giving access to it, shall be such that traffic to, from, and within the site will not be hazardous or inconvenient to the project or the neighborhood.
 - vii. The mix of dwelling unit types and densities, and the mix of residential and nonresidential uses, shall be acceptable in terms of convenience, privacy, compatibility, and similar measures.
 - viii. Where applicable, noise, odor, light, or other external effects from any source that are created by the proposed uses will not adversely affect adjacent and neighboring lands and uses.
 - ix. The proposed development will create a minimum disturbance to existing natural features and landforms, historical features and structures, surface and underground water bodies and the basic integrity of the land.

- x. Streets shall follow topography, be properly spaced, and be located and aligned in accordance with the intended function of each street. The property shall have adequate access to public streets and shall provide suitable street connections to adjacent lands, where applicable.
- xi. Pedestrian circulation shall be provided for within the site and shall interconnect all residential and community areas. The pedestrian system shall provide a logical extension of pedestrian ways and sidewalks from outside the site and shall provide pedestrian connections to the edges of the site for future interconnections, where applicable.
- xii. The village may impose additional reasonable conditions when applicable:
 - 1. to ensure that public services and facilities affected by a special district will be capable of accommodating increased service and facility loads caused by the special district;
 - 2. to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent land uses;
 - 3. to preserve and protect the historic nature and quality of the site and surrounding area; and
 - 4. to promote the use of the land in a socially and economically desirable manner.

D. Effects of approval of a petition. Approval of a petition for a planned unit development shall have the following effects:

- a. Approval shall confer a right to the petitioner, for a period of three years from the date of approval, that existing zoning regulations as they apply to the property in the approved petition will remain unchanged, provided that subsequent development of the site is diligently pursued within this time period.
 - b. Approval shall indicate the village council's and planning commission's acceptance of the uses, building locations, street layout, numbers and types of dwelling units, floor areas, densities, and other elements of the petition.
 - c. Approval shall permit the petitioner or successor to file an application for final site approval for all the property in the district or the first phase of development. Final site plans shall not be required for an area that is to be platted for single-family detached residential use.
 - d. Approval shall authorize an applicant to file a preliminary plat for tentative approval for areas of the petition that are to be subdivided or submit a site plan as a site condominium.
 - e. No deviations from the area plan in an approved petition for a planned unit development shall be permitted except as provided in this article.
- E. Continuing Applicability of Regulations. The location of uses and structures, mixtures of uses, yards and transition or buffer strips, and all other information regarding use of property in an approved petition for a planned unit development, and site plans and subdivision plats approved subsequently thereto, and all conditions of the approved petition, shall have the full force and permanence of the zoning ordinance as though such regulations were specifically set forth in the ordinance. Compliance with the approved regulations was specifically set forth in the ordinance. Compliance with the approved petition shall be the continuing obligation of any subsequent interest in the property in a planned unit development and shall not be changed except as provided in this article. A property that has been zoned as a planned unit development shall not thereafter be developed or used in any manner except in accordance with the approved petition.

- F. *Construction.* No construction, grading, tree removal, soil stripping, or other site improvements or changes may commence, and no permit shall be issued therefor, on a property that is under petition for amendment to a planned unit development, until use of the requirements of this article have been met and the approved amendment has taken effect.
- G. *Phasing of Development.* Development within a planned unit development may be phased as delineated on the area plan. A phase shall not depend on a subsequent phase for safe and convenient vehicular or pedestrian access, adequate public utility services, or open space and recreational facilities. Each phase shall be capable of substantial occupancy, operation, and maintenance upon completion of development of that phase.
- H. *Circulation and Access.*
- a. Each lot or principal building shall have vehicular access from a public street, or a private street approved by the village council.
 - b. Each lot or principal building shall have pedestrian access from a public or private sidewalk where deemed necessary by the village council, upon recommendation by the planning commission. All parts of a planned unit development shall be connected by a sidewalk or pedestrian path system which will provide safe and convenient movement of pedestrians. A bicycle path system shall also be provided and may be part of the sidewalk or pedestrian path system.
 - c. Public and private streets shall be designed and constructed according to established standards for public streets. If, in the future, a private street in a planned unit development is to be dedicated to the public, the owners shall pay the full expense of reconstruction, or any other action required to make the street suitable for public acceptance.
- I. *Utilities.* In addition to meeting the building, mechanical, plumbing, and electrical code requirements of the village:
- a. Each principal building shall be connected to public water and sanitary services;
 - b. Storm water retention shall be constructed in accordance with village standards.
 - c. Electrical, telephone, and cable television lines shall be underground, unless otherwise approved by the village council, upon recommendation by the planning commission.
- J. *Open Space Regulations.*
- a. Buildings, parking lots, drives, and similar improvements may be permitted in open space areas if related and necessary to the functions of the open space. Other buildings and improvements shall be prohibited.
 - b. Open space areas shall be distributed throughout the petition area and shall be reasonably located with respect to natural features and residential areas.
 - c. Open space areas shall have minimum dimensions that are suitable for the functions intended and that will be maintainable.
 - d. Natural features, such as woods, stream corridors, and wetlands, shall be preserved to the maximum feasible extent as part of the open space system.
- K. *Parking regulations.* The parking and loading requirements in section 216.1304 shall apply except that the number of off-street spaces required may be reduced if approved by the village council, upon recommendation by the planning commission. A reduction shall be justified by the petitioner and shall be based on a finding that sufficient parking will be available by sharing of spaces by two or more uses, in village parking lots, or that the parking requirement is excessive for the type of use proposed.
- a. Pavement area that is saved by reducing the number or width of parking spaces shall be put into landscape or open space areas within the property in the petition.
- L. *Density calculations.*

- a. Land areas to be used in calculating gross densities, lot coverages (LC), and floor area ratios (FAR) shall each be delineated on the area plan.
- b. The land area used for calculating gross residential density shall include the total residential land area designated on the area plan, less any area within existing public street rights-of-way.
- c. The surface area of lakes, streams, ponds, wetlands, and similar areas may be included in the area used in calculating density if at least 50 percent of the frontage of such areas is part of lands devoted to open space used for and accessible to residents or tenants of the development.
- d. Lot coverage and floor area ratio calculations for residential structures shall be based on the acreage designated for calculating gross residential density, LC and FAR calculations for nonresidential structures shall be based on land areas that include the structures, drives, parking and loading areas, open spaces around the structures, landscape areas, and similar areas, but not including acreage in existing public street rights of way.
- e. Land used to provide acreage to meet density regulations in one part of the district shall not be used to compute density in another part of the development.

M. Common Areas and Facilities.

- a. The location, extent, and purpose of common areas and facilities shall be identified on the area plan and on each site plan and plat. Such areas and facilities that are to be conveyed to a public agency shall also be defined.
- b. Public areas and facilities that are to be dedicated to a public agency shall be accepted by that agency prior to approval of a final site plan or final plat by the village council unless a binding agreement for dedication is provided in lieu of dedication.
- c. Legal instruments setting forth a plan or manner of permanent maintenance of common areas and facilities shall be submitted to the village administrator for review as to legal form and effect, and to the village council or planning commission, whichever is applicable, for review as to the suitability for meeting public interests. The instruments shall become a part of the approval final site plan or final plat, whichever is applicable.

N. Site plan requirements. A site plan shall be approved for each phase of planned unit development as delineated on the area plan. Each site plan shall be submitted and reviewed in accordance with section 216.1307 and shall meet all applicable provisions of that section.

O. Amendment and Revision.

- a. A petitioner or successor to the property may request a change in an approved planned unit development or in site plans or plats approved subsequently thereto. A change in an approved site plan or plat that results in a major change in the approved planned unit development shall first require an amendment to the approved zoning district. Amendments shall follow the procedures and conditions required for original submittal and review.
- b. A request for a change shall be made in writing to the village council and shall state the reasons for the request. The reasons may be based on considerations such as changing social or economic conditions, potential improvements in layout or design, unforeseen difficulties, or reasons mutually affecting the village and developer, such as technical causes, site conditions, state or federal projects, and statutory revisions. The council, upon finding the reasons and request reasonable, shall notify the applicant in writing. Following payment of the appropriate fee, the developer shall submit the required information for review.
- c. Changes to be considered major, for which amendment is required shall include one or more of the following:

- i. Change in concept of the development.
 - ii. Change in use or character of the development.
 - iii. Change in type of dwelling unit.
 - iv. Increase in number of dwelling units.
 - v. Change in nonresidential floor area of more than five percent.
 - vi. Change in lot coverage or floor area ratio for the entire district or more than one percent.
 - vii. Rearrangement of lots, blocks, or building tracts.
 - viii. Change in the character or function of any street.
 - ix. Reduction in land area for common open space or relocation thereof.
 - x. Increase in building heights.
- d. A developer may request village council approval of minor changes in an approved planned unit development or site plans or plats approved subsequently thereto. The village council shall refer to a site plan or plat that is affected by the minor change to the planning commission for review and recommendation.
 - e. Minor changes shall be those not covered by subsection XXX.
 - f. The village council shall have the authority to determine if a requested change is major or minor, in accordance with this section. The burden shall be on the applicant to show good cause for a requested change.
- P. Expiration of Plan Approvals.
- a. An area plan shall expire 18 months after approval of the planned unit development by the village council unless a site plan or preliminary plat for tentative approval is filed for the first phase of the project, or for the entire property if the development is not to occur in phases, is filed for village approval.
 - b. In development of two or more phases, site plans for all phases in a special zoning district shall have been approved by the village council within five years of the date of approval of the special zoning district. All final plats in the district shall have been approved and recorded within the five-year period.
 - c. Expiration of the area plan as provided in subsections (a) and (b), preceding, or failure to obtain approvals as provided in subsection (b), preceding, shall authorize the village council to revoke the right to develop under the area plan of the approved planned unit development, after a hearing, and unless good cause can be shown for the expiration. In such a case the village council may require that a new area plan be filed and reviewed in accordance with the requirements for an original petition. Expiration shall also authorize the village council to initiate a zoning amendment to place the property into one or more zoning districts deemed by the council to be appropriate. The expiration of an area plan shall be noted on the official zoning map and shall be signed by the village administrator and attested by the village clerk. The zoning administrator shall notify the village clerk of expiration of an area plan.
 - d. Approval of a site plan in a planned unit development shall expire as provided in subsection 216.1307, herein. Expiration shall authorize the village council to require filing and review of a new site plan.
 - e. Development shall be completed within two years of the date of approval of a site plan. If development is not completed the village council shall not review or approve a site plan for a subsequent phase of the planned unit development unless good cause can be shown for the lack of completion.

- f. If an area plan or an approved site plan has expired, no permits for any development of the property in the planned unit development shall be issued until the applicable requirements of this section have been met.*
- Q. Extension of Time Limits. Time limits in this article may be extended upon showing of good cause, by written agreement between the applicant and the village council.*
- R. Performance Guarantees. Performance guarantees shall be provided pursuant to section 216.1508.*
- S. Violations.*
- a. A petition or site plan approved under this article shall have the full force of the zoning ordinance. Any violation of the terms of an approved planned unit development or plan for property within a planned unit development shall be grounds for the village council to order that all construction be stopped, and to order that building permits and certificates of occupancy be withheld until the violation is removed, or adequate guarantee of removal is provided to the village council.*
- b. Violations of any approvals under this article, or failure to comply with any requirements of this article, including any agreements or conditions, shall be considered a violation of this ordinance as provided in section 216.2002, herein.*

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2024.

Planning Commission Public Hearing Publication: January 17, 2024

Planning Commission Public Hearing: February 5, 2024

Council Public Hearing Publication: January 24, 2024

Council Public Hearing: February 12, 2024

Ordinance Adoption Publication: February 21, 2024