

## 17.04.430 Changes in Planned Unit Developments

### 17.04.430 – Changes in Planned Unit Developments

The Planned Unit Development shall be developed only in conformance with the ordinance granting a Special Use for a PUD and the PUD Preliminary Plans as approved by the City Council. PUD Final Engineering Plans, PUD Final Plans, and PUD Final Plats contain additional detail to facilitate construction of the development. Recognizing that there may be a need for changes during review or following approval of these final plans, changes to any approved PUD plans shall be handled as follows:

#### A. Major Changes

1. Changes which would require an amendment to the ordinance granting a Special Use for the PUD may only be approved after submittal of an application to amend the Special Use for the PUD, together with applications to amend any previously approved plans.
2. Changes determined by the City Council to invalidate or contradict any of the Findings of Fact for Special Use for PUD or elements of the Preliminary Plans which were used as a factor in establishing said Findings of Fact shall only be approved after submittal of an application to amend the Special Use for the PUD, together with applications to amend any previously approved plans.  
(Ord. 2008-Z-32 § 21.)
3. Changes to the approved PUD Preliminary Plan determined to be major by the City Council may be approved only by submission and reconsideration of a new PUD Preliminary Plan, and, if necessary, an application to amend the Special Use ordinance. Depending on the scope of the Major Change, a new Concept Plan Review may be required prior to submittal of the application for PUD Preliminary Plan. Factors listed in Table 17.04-2 shall be considered in determining whether a proposed change from the approved PUD Preliminary Plan constitutes a Major Change, and whether a new Concept Plan Review will be required.  
(Ord. 2009-Z-9 § 4; Ord. 2008-Z-32 § 22.)

Exhibit "A"

<b>Table 17.04-2</b>		
<b>Major Changes requiring Concept Plan Review and/or revised PUD Preliminary Plan</b>		
	<b>Major Change, requires new PUD Preliminary Plan</b>	<b>Major Change, requires Concept Plan review, followed by new PUD Preliminary Plan</b>
<b>Non-Residential Components of a Planned Unit Development</b>		
Increase in total gross floor area of non-residential buildings in the PUD	5 to 20%	20% or more
Increase in the total number of acres used for non-residential purposes	5 to 20%	20% or more
Changes to functional class of roadway	Yes	Yes
Reduction in the acreage of open space or common open space	1 to 10%	10% or more
<b>Residential Components of a Planned Unit Development</b>		

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Increase in the total number of dwelling units within the PUD	0 to 5%	5% or more
Change in the size of dwelling units	10% or more	-
Change in the types of dwelling units (i.e., from attached single family to multi-family)	Yes	Yes
Reduction in the acreage of open space	0 to 5%	5% or more

(Ord. 2009-Z-9 § 5.)

### B. Minor Changes

The City Council may, without review and recommendation of the Plan Commission, approve minor changes in the PUD plans that do not change the concept or intent of the PUD. Minor changes are defined as any change not defined as a major change (see Paragraph A above) or an authorized administrative change (see Paragraph C below).

### C. Authorized Administrative Changes

The Director of Community Development and the Director of Public Works may approve PUD Final Engineering and PUD Final Plans and changes or revisions to such plans which do not alter the design or intent of the approved PUD Preliminary Plans, in order to accommodate field conditions and detailed design considerations that occur during PUD Final Engineering or PUD Final Plan design. Administrative changes will typically involve minor relocations of features such as utility boxes, light poles, trees and landscape plantings, drainage inlets, and walkways, or changes of two (2) feet or less in the locations of buildings, streets and parking lots; changes to the location, size, and design of wall signs; and changes to the tenant/business identification area of free standings signs. Administrative changes must meet the applicable standards of the Zoning Ordinance or Special Use for a Planned Unit Development Ordinance.

(2012-Z-5 : § 2)