ARTICLE FOURTEEN - PLANNED UNIT DEVELOPMENT

1400 INTENT

A. Planned Unit Developments (PUDs) in the Township may be established in any Zoning District when approved by the Township Board in accordance with the procedures specified in this Article as a Special Land Use. The purpose of the Planned Development is to:

1. Provide for flexibility in the regulation of land development;
2. Encourage innovation in land use and variety in design, layout, and type of Buildings and Structures;
3. Achieve economy, efficiency and sustainability in the use of land, natural resources, energy, and the provision of public services and utilities;
4. Encourage the use of land in accordance with its character and adaptability;
5. Encourage useful Open Space;
6. Promote the enhancement of housing, employment, traffic circulation, pedestrian movement, and recreational opportunities for the residents of the Township;
7. Provide for the regulation of a variety of land uses not otherwise authorized within a single Zoning District;
8. Create better living, working, and shopping environments; and
9. Provide for developments which would result in recognizable and substantial benefits to the ultimate users of a development, and to the community in general, where such benefits would be unfeasible or unlikely to be achieved under the conventional requirements of this Ordinance.
10. Create developments that achieve the standards and best practices of smart growth and sustainable, energy efficient design.

B. In order to accomplish these objectives, this Article permits the relaxation of the conventional requirements found in the underlying Zoning District(s). The use of land and the construction and use of Buildings and other Structures as a PUD shall be in conformance with the procedures, standards, requirements, and conditions for eligibility contained in this Article.

1401 QUALIFYING CONDITIONS

Any development which fails to meet the following qualifying conditions, at a minimum, shall not qualify for development as a PUD.

A. All PUDs shall be served by public water and public sanitary sewer facilities or a private community system approved by the Township Board, the Ottawa County Health Department, and other agencies, as appropriate.

B. The tract of land for which a PUD application is received must be either in one (1) ownership or the subject of an application filed jointly by the owners of all properties or their agent or both. If the PUD application is filed by a prospective purchaser or option holder, written consent of all property owners must be submitted as evidence of their concurrence with the PUD application.
C. The proposed uses and densities of the PUD must be consistent with the Community Master Plan for the subject property, unless otherwise noted in this Article.

D. All PUDs shall contain a minimum of twenty (20) percent Open Space.

1402 SITE DEVELOPMENT REQUIREMENTS

A. Residential PUD.
   1. The Residential PUD site shall be not less than five (5) acres in area.
   2. All residential uses shall be permitted including: Detached Single-Family Dwellings, Attached Single-Family Dwellings, Two-Family Dwellings, and Multi-Family Dwellings. Leisure and recreational amenities accessory to the residential use may also be permitted. Such uses may include but are not limited to: Golf Courses, Marinas, riding Stables, health clubs, and similar uses authorized as part of the PUD. In addition, one (1) real estate sales office may be permitted, provided the office is used solely for the purpose of marketing and selling properties located within the PUD, and provided the office is located in a Building approved as part of the PUD.
   3. The maximum number of Dwelling Units permitted shall be determined by the underlying Zoning District. Residential densities shall not exceed those limits, unless otherwise permitted through the Density Bonus Option provisions of this Article. If the PUD lies in more than one Zoning District, the number of Dwelling Units shall be calculated on a proportionate basis.
   4. The total amount of land to be used for the calculation of the permitted Density in a PUD shall be determined by using the net acreage of the site, excluding existing Street and Private Road rights, easements, or Significant Natural Features.
   5. Land not proposed for development but used for the calculation of overall Density shall be considered Open Space and subject to the requirements of Section 1411.E.

B. Mixed Use PUD.
   1. If the PUD is to contain a mixture of residential and non-residential uses (commercial establishments or offices), the minimum required area shall be ten (10) acres.
   2. Only uses permitted in the underlying Zoning District shall be permitted.
   3. All non-residential uses allowed in the PUD shall occupy no more than twenty-five (25) percent of the PUD's developable area (i.e., the gross or total acreage of the site, excluding any Street or Private Road rights-of-way). However, mixed occupancy Structures comprised of residential and office or commercial space in which at least fifty (50) percent of the Floor Area is occupied by Dwelling Units shall be considered residential uses. Recreational amenities such as golf courses and health clubs shall be considered residential uses.
   4. The PUD site shall abut a County Primary Road, and all non-residential uses shall have direct access to such Street.
   5. All non-residential uses shall be integrated into the design of the PUD with similar architectural and site development elements, such as Signs, landscaping, etc.
   6. All merchandise for display, sale or lease shall be entirely within one (1) or more enclosed Building(s).
7. Buildings designed exclusively for non-residential uses shall be constructed according to the following requirements.
   a. If the entire PUD contains forty (40) or fewer Dwelling Units, seventy-five (75) percent of these Dwelling Units must be constructed prior to construction of any Building intended only for commercial, office, or similar non-residential use.
   b. If the PUD contains more than forty (40) Dwelling Units, fifty (50) percent of these Dwelling Units shall be constructed prior to the construction of any Building intended only for commercial, office, or similar non-residential use.

C. Non-Residential PUD.
   1. The Non-Residential PUD site shall be not less than three (3) acres in area for commercial PUDs and not less than three (3) acres in area for industrial PUDs.
   2. Only uses permitted in the underlying Zoning District shall be permitted.
   3. No minimum Setback requirements shall apply. All Setbacks and Building separation shall be determined as part of the preliminary development plan approval by the Planning Commission and the Township Board.

D. Open Space.
   1. To the extent possible, designated Open Space shall be large enough and of proper dimensions to contribute significantly to the intent of the PUD.
   2. Open Space Maintenance.
      a. All Open Spaces shall be in the joint ownership of the property owners within the PUD. A property owners' association shall be formed which shall take responsibility for the maintenance of the Open Space. Alternatively, evidence shall be given that satisfactory arrangements will be made for the maintenance of the Open Space land to relieve the Township of its future maintenance.
      b. The maintenance requirements of Open Space are not intended to include regular clearing and mowing or other active maintenance. For the purposes of this Section, maintenance requirements are intended to include such items as the removal of any accumulation of trash or waste material within the Open Space, clean up of storm damage, or removal of diseased plant materials.
   3. The Applicant for the proposed PUD shall provide the Township with a recordable maintenance or restrictive covenant agreement among the owners of the Open Space, or other documentation satisfactory to the Township which shall provide for and assure that the Open Space shall be preserved in perpetuity and maintained as needed. Open Space may be deed restricted, placed in a conservation easement, or otherwise held as Open Space in perpetuity. Suitable recorded instruments shall be submitted to the Township for review prior to final approval of the PUD.

E. All applicable requirements of this Ordinance shall apply unless specifically modified in this Article.

1403 PRE-QUALIFICATION FOR APPLICATION
A. Before submitting a formal application for a PUD, an Applicant shall submit a pre-qualification request intended to demonstrate to the satisfaction of the Township staff (e.g., the Zoning Administrator, the Township Supervisor, the Department of Public Works Director, the Township engineer, the Township Fire Chief, etc.), that the proposed PUD will satisfy the intent of this Article, as set forth in Section 1400, and that the Applicant has the necessary qualifications.

B. At the time of the pre-qualification meeting with the Township staff, the Applicant will be expected to demonstrate thorough knowledge and understanding of the unique character, the advantages, and the limitations of the proposed site; the capability of that site to support the proposed PUD; and the consistency of the foregoing with the intent of this Article, as set forth in Section 1400.

C. The pre-qualification request shall include, but not necessarily be limited to, the following:
   1. The qualifications of the professional designer of the proposed PUD, including academic and other written credentials, a list of comparable or relevant past projects, and graphic examples if available;
   2. The principal objectives of the PUD; identification of its prospective users and their needs; and why this site is appropriate for those objectives and those users;
   3. A graphic representation of the regional context of the proposed PUD;
   4. A description of the basic character, building form and layout of the proposed PUD;
   5. Evidence that the capital and human resources necessary for construction of the proposed PUD are, or will be, available;
   6. A map showing legal boundaries of the PUD, Streets, Private Roads, easements, and other pertinent legal indications of the property and its abutting Lots;
   7. An aerial orthographic photograph of the site and its vicinity, with the same graphic scale as is used for the map in (6) above (additional aerial views may also be submitted to further describe the nature of the existing site);
   8. A topographic map of the site, with the same graphic scale as is used for the map in (6) above, at contour intervals of no more than five (5) feet if the site is hilly or irregular, and two (2) feet if it is nominally flat;
   9. A conceptual plan showing Significant Natural Features, vehicular and pedestrian circulation, and anticipated number and Density of Dwelling Units;
  10. A graphic inventory of the characteristics of the site, including:
      a. Significant Natural Features, as defined in Section 220
      b. Soil characters, by approximate locations;
      c. Slopes/Grade Changes;
      d. Drainage patterns;
      e. Wind directions (favorable and unfavorable);
      f. Solar orientation;
      g. Microclimate(s);
      h. Forestation (type, coverage, size);
      i. Other Significant existing vegetation (type, coverage, size);
  11. A site analysis or at least a graphic summary of the site, which clearly demonstrates the designer’s understanding of, and the design implications of, the impact of the proposed PUD on the site.
D. All of the information in (C) above shall be in written or graphic form. The Applicant shall furnish six (6) copies of the entire presentation for distribution to the Township staff members and other officials. The Applicant shall furnish two digital copies in a common format acceptable to the Zoning Administrator.

E. The Township staff shall advise the Applicant if the application conforms with the intent for PUDs in Section 1400, whether it qualifies under the minimum requirements of Sections 1401, 1402 or 1411.B (Density Bonus Option), and whether the general concept is consistent with the Community Master Plan. In no case shall any representations made by the Township staff be construed as an endorsement of the PUD or an approval of the concept.

1404 PUD APPLICATION AND PRELIMINARY DEVELOPMENT PLAN
Applicants seeking approval of a PUD shall submit a complete application and a preliminary development plan to the Zoning Administrator, who shall schedule a date and time for a public hearing before and review by the Planning Commission. The PUD application shall include the following:

A. A completed application form supplied by the Zoning Administrator.

B. A Density calculation indicating the number of Dwelling Units by type, per gross acre of the site.

C. Payment of a fee, as established by the Township Board.

D. A narrative statement describing:
   1. The objectives of the PUD and how it relates to the intent for PUDs, as described in Section 1400;
   2. The relationship of the PUD to the Community Master Plan;
   3. Phases of the PUD and approximate time frame for each phase;
   4. Proposed deed restrictions, covenants, or similar legal instruments to be used within the PUD;
   5. Anticipated start and completion of construction;
   6. Location, type, and size of areas to be dedicated for common Open Space; and
   7. A breakdown of the approximate square footage/acreage of major types of Significant Natural Features.

E. A parallel plan shall be submitted for all residential and Mixed Use PUDs to illustrate the maximum development potential that would otherwise be possible under conventional zoning requirements. The parallel plan shall be based on the zoning requirements and shall reflect a development that could be built in the Township.
   1. The parallel plan shall contain enough detail to permit the Township to evaluate the feasibility of development for each indicated Lot and/or Dwelling Unit.
   2. At a minimum, the parallel plan shall show property boundaries and dimensions, individual Lots, Building Envelopes, Street and Private Road rights-of-way or
 easements, Significant Natural Features (critical dunes, Wetlands, water features, and similar constraints), and utility easements. The Planning Commission may require additional detail or information as it may determine necessary to evaluate the feasibility of the parallel plan.

3. All Lots or Buildings shown on the parallel plan shall be buildable, which for the purposes of this Section shall mean Lots or Building areas that meet the minimum requirements of the Zoning District to which the property corresponds; that have an area of sufficient size and shape to accommodate the proposed principal Building; and that provide required driveways, Streets, Private Roads, or other means of permitted access.

4. Areas of Wetlands, water bodies, and flood plains shall not be considered buildable.

F. Twelve (12) copies of a preliminary development plan in accordance with Section 1408.E. If the PUD is to be developed in phases, the preliminary development plan shall show all phases. The preliminary plan shall contain the following:

1. The PUD's name, the Applicant's name, the name and address of the firm and individual who prepared the preliminary development plan, scale, and north arrow;
2. Property lines, dimensions of all property lines, and size of the PUD (and individual phases) in acres;
3. Existing zoning and land use of all abutting properties;
4. Existing Significant Natural Features;
5. Existing Buildings on the site;
6. Proposed uses and their approximate locations;
7. Rights-of-way and pavement edges of existing Streets abutting the PUD;
8. Locations of proposed access drives, Streets, Private Roads, and Parking Areas within the PUD;
9. Proposed walkways or pedestrian paths;
10. Proposed method of providing public water, public sanitary sewer, and stormwater drainage facilities;
11. Layout and typical dimensions of proposed Lots;
12. Approximate phases of the PUD;
13. Proposed residential Density by area or phase;
14. Location of Building Envelopes, Clearance Zones, and Significant Natural Features (Density Bonus Option applications only);
15. Trees to be planted on the site, and Protected Trees to remain on the site; and
16. Other landscape features, including plantings and hardscape.

1405 NOTICE AND PUBLIC HEARING FOR PUD

A. Upon receipt of an application for PUD approval, the Zoning Administrator shall cause notice to be given, in accordance with the manner required by law for a special land use, except that notice by mail shall be sent to all property owners within one thousand (1,000) feet of the subject property.

B. Following notice, the Planning Commission shall hold a public hearing on the proposed PUD, for the purpose of receiving public comment on the application. While not required,
it is strongly suggested that the Applicant meet informally with residents of the general area surrounding the proposed PUD site prior to the Planning Commission public hearing or even prior to submitting the PUD application. The purposes of such meeting would be to explain the development, answer questions, and make adjustments to the PUD plan to address concerns.

1406 PLANNING COMMISSION RECOMMENDATION
Following the public hearing, the Planning Commission shall review the PUD request and development plan based on the following and shall make a recommendation to the Township Board to approve, approve with conditions, or deny the PUD request. In its recommendation, the Planning Commission shall include the reasons for such recommendation, specifically citing appropriate standards and Sections of the Ordinance, and identify those specific conditions, if any, it considers necessary. The Planning Commission shall consider at least the following factors in making its recommendation concerning the PUD request:

A. Conformance with the Community Master Plan;

B. Compatibility with the type, character, and Density of existing and anticipated uses surrounding the site; and

C. Consistency with the intent and qualifying conditions of this Article in Sections 1400 and 1401, respectively.

D. Point total achieved under Article Thirteen, Sustainable Community Assessment.

E. The Planned Unit Development project shall meet the General Review Standards of Section 326.

1407 TOWNSHIP BOARD ACTION
After receiving the recommendation of the Planning Commission and applying the standards of Section 1410 and the factors of Section 1406, the Township Board shall review the application package, preliminary development plan, the record of the Planning Commission proceedings, and the Planning Commission's recommendations. At the applicant’s request, the Township Board may hold a public hearing on the Special Land Use request prior to final action. The public hearing shall be held in accordance with Section 111. Following the public hearing, the Township Board shall then make its findings as to approval, approval with conditions, or denial. An approval with conditions shall not be considered granted until the Applicant submits to the Township Board a written acceptance of the conditions and all necessary revisions to the development plan which may be accomplished via a resolution of approval. At such point, the action of the Township Board to approve the PUD shall constitute the designation of the property as a PUD.

1408 FINAL DEVELOPMENT PLAN APPLICATION
Within one (1) year of the Township Board's approval of the PUD preliminary development plan, the Applicant shall submit to the Planning Commission a request for final PUD approval.
If a request for final approval is not submitted within the one (1) year period, the provisions of Section 1414 shall apply. An application for final PUD approval shall consist of the following:

A. A completed application form, supplied by the Zoning Administrator;

B. Payment of a fee, as established by the Township Board;

C. A written response to the findings, review comments, and conditions, if any, from the Planning Commission and Township Board review of the preliminary development plan and a narrative explanation of the changes made to the final development plan in response to those items;

D. Evidence that all required permits, other than Building permits, have been obtained, as applicable, from County, State, and/or Federal agencies; and

E. A Site Plan containing all of the information required in Article Ten (Site Plan review); provided, individual Detached Single-Family Dwellings need not be shown on the plan. For developments consisting of three (3) or more phases, a plan meeting the requirements of Section 1404 may be submitted for the overall PUD and a detailed plan as required for final development plan may be submitted for the first phase. Each subsequent phase shall be reviewed in the same manner.

1409 PLANNING COMMISSION REVIEW OF FINAL DEVELOPMENT PLAN

A. The Planning Commission shall review the final development plan in relation to its conformance with the preliminary development plan and the conditions, if any, of the PUD approval. If it is determined that the final development plan is not in substantial conformance to the preliminary development plan, the review process shall be conducted as a preliminary development plan review, in accordance with the procedures of Section 1404 through Section 1407 of this Ordinance.

B. If the final development plan is consistent with the approved preliminarily development plan and any conditions of approval, the Planning Commission shall review the final development plan in accordance with the criteria of Section 1410.

C. The Planning Commission shall prepare a record of its findings and shall approve, approve with conditions, or deny the final development plan.

D. The decision of the Planning Commission may be appealed to the Township Board which shall review the record of the proceedings, along with all materials submitted, and shall make its decision in accordance with the standards of Section 1410.

1410 STANDARDS FOR APPROVAL

A final development plan for a PUD shall be approved only if it complies with each of the following standards.
A. The proposed development is consistent with the intent of a Planned Unit Development in the Township, as described in Section 1400, and represents a development opportunity for the community that could not be achieved through conventional zoning.

B. The proposed PUD complies with all qualifying conditions of Section 1401 and with all qualifying conditions of Section 1411.B if applicable.

C. The uses to be conducted within the proposed PUD and the proposed residential Density are consistent with the Community Master Plan.

D. The proposed PUD is compatible with surrounding uses of land, the natural environment, and the capacities of public services and facilities affected by the development.

E. The proposed PUD will not contain uses or conditions of use that would be injurious to the public health, safety, or welfare of the community.

F. The proposed PUD meets all the review standards of Article Ten (Site Plan review) and Article Eleven (Special Land Use).

G. The PUD preserves, in perpetuity, Significant Natural Features.

H. The Planning Commission may require evidence that groundwater sources will be protected and that environmental, traffic, or other concerns are met. Approval of the County Health Department, County Road Commission, or other agencies, while required to develop the site, shall not be the sole determining factor in this regard.

I. The PUD furthers the Township’s desire for creating a sustainable community.

J. The Township Board or Planning Commission may require additional information which either deems reasonably necessary to demonstrate compliance with the review standards and other requirements of this Article. Such information may include soil reports, hydrological tests, traffic studies, Wetland determinations, or other such evidence which shall be submitted by the Applicant prior to approval.

1411 DENSITY BONUS OPTION

A. Intent. In order to further promote the benefits of PUD for the community and the property owner, an optional Density Bonus may be applied which is intended to provide added incentive, through increased densities and reduced minimum requirements, in exchange for preservation of Open Space in excess of that required under a traditional PUD and which might otherwise be developed.

B. Qualifying Conditions. In order to qualify for a Density Bonus Option as defined in this Section, the property proposed for Planned Unit Development shall meet all of the following:
1. The proposed PUD-Density Bonus Option site shall have a minimum sixty-six (66) feet of Frontage on an existing Street sufficient to provide Street access to the site.

2. The Applicant must demonstrate that the property proposed for Density Bonus Option contains unique site conditions, Significant Natural Features, or large Open Spaces which would otherwise be developed but which will be preserved from development as a result of exercising the Density Bonus Option.

3. The Applicant must demonstrate, in writing and other appropriate material, that the proposed Density Bonus Option meets the intent of this Section, in addition to the intent described in Section 1400 and all other requirements of this Article for a PUD.

4. That the proposed PUD exceeds the minimum applicable point standards of the Sustainable Community Assessment.

C. Density Bonus Option: Design Requirements

1. Development Regulations for Residential PUDs for Density Bonus Option

   a. All Lands: The following development regulations apply to all lands within the PUD-Density Bonus Option.

   (i) Lot sizes for Detached Single-Family Dwellings and Site Condominiums may be reduced from the minimums specified elsewhere in this Article, but shall not be less than six thousand (6,000) square feet in area. There shall be no minimum Yard Setback requirements; provided, no principal Buildings shall be closer than twelve (12) feet to any other Building.

   (ii) No Building site shall be permitted to gain direct access to any Street or Private Road not constructed or planned as part of the PUD-Density Bonus Option.

   (iii) The total Clearance Zone area of any Lot shall be limited to that necessary to construct Buildings, drives, sidewalks, or other facilities or Structures, but in any case shall be limited to fifteen thousand (15,000) square feet, or sixty-five (65) percent of the area of the Lot, whichever is less. The Planning Commission may allow additional Lot Clearance Zone area upon finding that the Applicant has demonstrated that such a limitation does not allow sufficient area for Building and Lot development, due to the presence of Significant Natural Features or other limitations related to the physical features of the site.

   (iv) Clearance Zone areas shall be clearly staked on each Lot prior to any construction activity or land clearing and no disturbance of the site shall take place outside of the Clearance Zone.

   b. Development Setbacks: No Building Envelope shall be located nearer than one hundred (100) feet to any existing Street not included as part of the PUD in accordance with the following:

   (i) No native or natural vegetation shall be removed from the Development Setback, except for that necessary for entrance Streets or Private Roads. The Planning Commission may modify this requirement provided the Applicant demonstrates that the clearing of existing vegetation would contribute significantly to the intent of this Article as described in Section 1400.

   (ii) No grading or changes in topography shall be permitted, except as may be necessary to construct entrance Streets or Private Roads, or provide screening...
as noted in subsection (c) below.

(iii) The required one hundred (100) foot Setback may be reduced to fifty (50) feet if a year-round, opaque, natural screen is present or provided for at least seventy (70) percent of the lineal distance of the property line abutting any Street and having a depth of at least twenty-five (25) feet. The natural screen shall be subject to the approval of the Planning Commission, shall have at least fifty (50) percent opacity from the Street view, and shall consist of either existing vegetation, land forms, or landscaped areas using native or natural materials, or a combination thereof.

c. Commercial Uses: The Planning Commission and Township Board may allow commercial uses within the Density Bonus Option, subject to the following requirements.

(i) All commercial uses allowed in the PUD-Density Bonus Option shall occupy not more than twenty (20) percent of the acreage of the PUD site.

(ii) All other applicable standards of Section 1402.B shall apply.

D. Density Calculation

1. Development Density shall be calculated for the entire area encompassed by the PUD-Density Bonus Option which is intended to be used for residential purposes, or any individual phase thereof.

2. Lands within any public utility easement shall be excluded from any Density calculation, but may be used as part of the dedicated Open Space calculations.

3. The density bonus shall be per the table in Section 1411.E below.

E. Density Bonus Criteria

1. Any land outside a designated Lot, excluding any easements for Streets or Private Roads, used for the calculation of overall Density, shall be considered Open Space and designated as such on the Density Bonus Option plan. The Density Bonus Option shall allow the applicant to select from Column 1, 2 or 3 to achieve a density bonus of up to twenty-five (25) percent as approved and deemed reasonable by the Planning Commission and Township Staff.

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<tr>
<th>COLUMN 1</th>
<th>COLUMN 2</th>
<th>COLUMN 3</th>
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<tr>
<td>Achieve a Minimum Open Space of 30%</td>
<td>Attain Points of 2/3 of available points in the Sustainable Community Assessment</td>
<td>Qualify for LEED-ND at the time of approval</td>
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2. All requirements of Section 1402.D shall also apply to the PUD-Density Bonus Option.

1412 PUD AGREEMENT

Prior to issuance of any Building permits or commencement of construction on any portion of the PUD, the Applicant shall enter into an agreement with the Township in recordable form, setting forth the Applicant's obligations with respect to the PUD. The agreement shall describe
all improvements to be constructed as part of the PUD and shall incorporate, by reference, the final development plan with all required revisions, other documents which comprise the PUD, and all conditions attached to the approval of the PUD. The agreement shall also establish the remedies of the Township in the event of default by the Applicant in carrying out the PUD, and shall be binding on all successors in interest to the Applicant. All documents shall be executed and recorded in the office of the Ottawa County Register of Deeds.

1413 CHANGES TO AN APPROVED PUD
Changes to an approved PUD shall be permitted only under the following circumstances.

A. The holder of an approved PUD final development plan shall notify the Zoning Administrator of any desired change to the approved PUD.

B. Minor changes may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design and character of the PUD, nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
   1. Reduction of the size of any Building or Sign;
   2. Movement of Buildings or Signs by no more than ten (10) feet;
   3. Landscaping approved in the final development plan that is replaced by similar landscaping to an equal or greater extent;
   4. Changes in floor plans, of up to five (5) percent of the total Floor Area, which do not alter the character of the use or increase the amount of required parking;
   5. Internal rearrangement of a Parking Lot which does not affect the number of Parking Spaces or alter access locations or design;
   6. Changes required or requested by the Township, the County, or other State or Federal regulatory agency in order to conform to other laws or regulations;
   7. Change of phases or sequence of phases, only if all phases of the PUD have received final approval.

C. A proposed change not determined by the Zoning Administrator to be minor shall be submitted as an amendment to the PUD and shall be processed in the same manner as the original PUD application, including both preliminary and final plan review.

1414 TIME LIMIT FOR APPROVED PUD
Each PUD shall be under construction within one (1) year after the date of approval of the PUD final development plan, except as noted in this Section.

A. The Planning Commission may grant one (1) extension of up to an additional one (1) year period if the Applicant applies for such extension prior to the date of the expiration of the PUD and provided that:
   1. The Applicant presents reasonable evidence that the development has encountered unforeseen difficulties beyond the control of the Applicant; and
   2. The PUD requirements and standards, including those of this Ordinance and the Community Master Plan, that are reasonably related to the development have not changed.
B. If either of the provisions of Section 1414.A are not fulfilled, or if an extension has expired without construction underway, the PUD approval shall be null and void.

1415 WAIVER OR MODIFICATION OF REQUIREMENTS

A. Variations: The Planning Commission may permit variations of the requirements in this article if the Applicant can demonstrate that it will result in the preservation of Significant Natural Features, such as woodland, sand dunes, Wetlands, etc., without compromising public safety, consistent with the factors in Section 1400.