

CHAPTER 1010

PLANNED UNIT DEVELOPMENT PROCEDURES

SECTION:

- 1010-1: Purpose
- 1010-2: General Requirements and Standards
- 1010-3: Submission Requirements
- 1010-4: Procedure for Processing a Planned Unit Development

1010-1: PURPOSE: This Chapter is established to provide comprehensive procedures and standards designed to allow a mixture of densities/intensities, or use types when applied as a PUD Zoning District and variation from the strict provisions of this Ordinance related to setbacks, height, lot area, width and depth, yards, etc., when applied as a PUD conditional use permit. The PUD process is intended to encourage:

- A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and siting of structures and by the conservation and more efficient use of land in such developments.
- B. Higher standards of site and building design through the use of trained and experienced land planners, architects, and landscape architects.
- C. More convenience in location and design of development and service facilities.
- D. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
- E. A creative use of land and related physical development which allows a phased and orderly transition of land from rural to urban uses.
- F. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
- G. A development pattern in harmony with the objectives of the Montrose Comprehensive Plan (PUD is not intended as a means to vary applicable planning and zoning principles).
- H. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

1010-2: GENERAL REQUIREMENTS AND STANDARDS:

- A. Ownership: An application for PUD approval shall be filed by the landowner or jointly by all landowners of the property included in a project. The application and all submissions must be directed to the development of the property as a unified whole. In the case of multiple ownership, the approved final plan shall be binding on all owners.
- B. Comprehensive Plan Consistency: The proposed PUD shall be consistent with the City Comprehensive Plan.
- C. Utility Plan Consistency: The proposed PUD shall be consistent with the City's utility (sewer and water) plans.
- D. Common Open Space: Common open space at least sufficient to meet the minimum requirements established in the Comprehensive Plan and such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the PUD shall be provided within the area of the PUD development.
- E. Operating and Maintenance Requirements for PUD Common Open Space/ Facilities: Whenever common open space or service facilities are provided within the PUD, the PUD plan shall contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common open space and service facilities within a PUD may be placed under the ownership of one or more of the following, as approved by the City Council:
 - 1. Dedicated to public, where a community-wide use is anticipated and the City Council agrees to accept the dedication.
 - 2. Landlord control, where only use by tenants is anticipated.
 - 3. Property owners association, provided all of the following conditions are met:
 - a. Prior to the use or occupancy or sale or the execution of contracts for sale of an individual building unit, parcel, tracts, townhouse, apartment, or common area, a declaration of covenants, conditions and restrictions or an equivalent document or a document such as specified by Minnesota Laws 1963, Chapter 456, Section 11 and a set of floor plans such as specified by Minnesota Laws 1963, Chapter 457, Section 13 shall be filed with the City, said filing with the City to be made prior to the filings of said declaration or document or floor plans with the recording officers of Scott County, Minnesota.

- b. The declaration of covenants, conditions and restrictions or equivalent document shall specify that deeds, leases or documents of conveyance affecting buildings, units, parcels, tracts, townhouses, or apartments shall subject said properties to the terms of said declaration.
- c. The declaration of covenants, conditions and restrictions shall provided that an owner's association or corporation shall be formed and that all owners shall be members of said association or corporation which shall maintain all properties and common areas in good repair and which shall assess individual property owners proportionate shares of joint or common costs. This declaration shall be subject to the review and approval of the City Attorney. The intent of this requirement is to protect the property values of the individual owner through establishing private control.
- d. The declaration shall also stipulate that in the event the association or corporation fails to maintain properties in accordance with the applicable rules and regulations of the City or fails to pay taxes or assessments on properties as they become due and in the event the said City incurs any expenses in enforcing its rule and regulations, which said expenses are not immediately reimbursed by the association or corporation, then the City shall have the right to assess each property its pro rata share of said expenses. Such assessments, together with interest thereon and costs of collection, shall be a lien on each property against which each such assessment is made.
- e. Membership shall be mandatory for each owner, and any successive buyer.
- f. The open space restrictions shall be permanent and not for a given period of years.
- g. The association shall be responsible for liability insurance, local taxes, and the maintenance of the open space facilities to be deeded to it.
- h. Property owners shall pay their pro rata share of the cost of the association by means of an assessment to be levied by the association which meets the requirements for becoming a lien on the property in accordance with Minnesota Statutes.
- i. The association shall be able to adjust the assessment to meet changed needs.

- j. The bylaws and rules of the association and all covenants and restrictions to be recorded must be approved by the City Council prior to the approval of the final PUD plan.
- F. **Staging of Public and Common Open Space:** When a PUD provides for common or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
- G. **Density:** The maximum allowable density variation in a PUD shall be determined by standards negotiated and agreed upon between the applicant and the City. In all cases, the negotiated standards shall be consistent with the development policies as contained in the Montrose Comprehensive Plan. Whenever any PUD is to be developed in stages, no such stage shall, when averaged with all previously completed stages, have a residential density that exceeds one hundred twenty-five (125) percent of the proposed residential density of the entire PUD.
- H. **Utilities:** In any PUD, all utilities, including telephone, electricity, gas and telecable shall be installed underground.
- I. **Utility Connections:**
 - 1. **Water Connections:** Where more than one property is served from the same service line, individual unit shut off values shall be provided as required by the City Engineer.
 - 2. **Sewer Connections:** Where more than one unit is served by a sanitary sewer lateral which exceeds four hundred (400) feet in length, provision must be made for a manhole to allow adequate cleaning and maintenance of the lateral. All maintenance and cleaning shall be the responsibility of the property owners association or owner.
- J. **Roadways:** All streets shall conform to the design standards contained in the Montrose Subdivision Ordinance, unless otherwise approved by the City Council.
- K. **Landscaping:** In any PUD, landscaping shall be provided according to a plan approved by the City Council, which shall include a detailed planting list with sizes and species indicated as part of the final plan. In assessing the landscaping plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structures and the overall scheme of the PUD plan.

- L. Servicing Requirements: All development will be carefully phased so as to ensure that all developable land will be accorded to a present vested right to develop at such time as services and facilities are available. Lands which have the necessary available municipal facilities and services will be granted approval in accordance with existing ordinances and development techniques. Lands which lack the available public facilities and services may be granted approval for development, provided that all applicable provisions of this Ordinance, the City Code, and State regulations are complied with.
- M. Setbacks:
1. The front and side yard restrictions of the periphery of the planned unit development site at a minimum shall be the same as imposed in the respective districts.
 2. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern.
 3. No building within the project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings.

1010-3: SUBMISSION REQUIREMENTS:

- A. General Concept Stage:
1. General Information:
 - a. The landowner's name and address and his interest in the subject property.
 - b. The applicant's name and address if different from the landowners.
 - c. The names and addresses of all professional consultants who have contributed to the development of the PUD plan being submitted, including attorney, land planer, engineer and surveyor.
 - d. Evidence that the applicant has sufficient control over the subject property to effectuate the proposed PUD, including a statement of all legal, beneficial, tenancy and contractual interests held in or affecting the subject property and including an up-to-date certified abstract of title or registered property report, and such other evidences as the City Attorney may require to show the status of title or control of the subject property.

2. Present Status:
 - a. The address and legal description of the subject property.
 - b. The existing zoning classification and present use of the subject property and all lands within two hundred (200) feet of the subject property.
 - c. A map depicting the existing development of the subject property and all land within two hundred (200) feet thereof and indicating the location of existing streets, property lines, easements, water mains and storm and sanitary sewers, with invert elevations on and within two hundred (200) feet of the subject property.
3. General Description: A written statement generally describing the proposed PUD and the market which it is intended to serve and its demand showing its relationship to the City's Comprehensive Plan and how the proposed PUD is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of the City.
4. Site Conditions: Graphic reproductions of the existing site conditions at a scale of one (1) inch equals one hundred (100) feet.
 - a. Contours, minimum two (2) foot intervals.
 - b. Location, type and extent of tree cover.
 - c. Slope analysis.
 - d. Location and extent of waterbodies, wetlands and streams and floodplains within three hundred (300) feet of the subject property.
 - e. Significant rock outcroppings.
 - f. Existing drainage patterns.
 - g. Vistas and significant views.
 - h. Soil conditions as they affect development.

All of the graphics should be the same scale as the final plan to allow each cross reference. The use of overlays is recommended for clear reference.

5. Schematic Drawing: Schematic drawing of the proposed development concept, including but not limited to the general location of the major circulation elements, public and common open space, residential and other land uses.
6. Total Dwelling Units: A statement of the estimated total number of dwelling units proposed for the PUD and a tabulation of the proposed approximate allocations of land use expressed in acres and as a percent of the total project area, which shall include at least the following:
 - a. Area devoted to residential uses.
 - b. Area devoted to residential use by building type.
 - c. Area devoted to common open space.
 - d. Area devoted to public open space.
 - e. Approximate area devoted to streets.
 - f. Approximate area devoted to, and number of, off-street parking and loading spaces and related access.
 - g. Approximate area, and floor area, devoted to commercial use.
 - h. Approximate area, and floor area, devoted to industrial or office use.
7. Stages: When the PUD is to be constructed in stages during a period of time extending beyond a single construction season, a schedule for the development of such stages or units shall be submitted stating the approximate beginning and completion date for each such stage or unit and the proportion of the total PUD public or common open space and dwelling units to be provided or constructed during each such stage and the overall chronology of development to be followed from stage to stage.
8. Open Space: When the proposed PUD includes provisions for public or common open space or service facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or service facilities.
9. Intent of Covenant: General intents of any restrictive covenants that are to be recorded with respect to property included in the proposed PUD.
10. Utilities Plans: Schematic utilities plans indicating placement of water, sanitary and storm sewers.

11. Exception to Requirements: The Planning Commission may excuse an applicant from submitting any specific item of information or document required in this stage, which it finds to be unnecessary to the consideration of the specific proposal for PUD approval.
 12. Additional Information: The Planning Commission may require the submission of any additional information or documentation which it may find necessary or appropriate to full consideration of the proposed PUD or any aspect or stage thereof.
- B. Development Stage: Development stage submissions should depict and outline the proposed implementations of the general concept stage for the PUD. Information from the general concept stage may be included for background and to provide a basis for the submitted plan. The development stage submissions shall include, but not be limited to:
1. Zoning classification required for development stage submission and any other public decisions necessary for implementation of the proposed plan.
 2. Ten (10) sets of preliminary plans, drawn to a scale of not less than one (1) inch equals one hundred (100) feet (or scale requested by the Zoning Administrator) containing at least the following information:
 - a. Proposed name of the development (which shall not duplicate nor be similar in pronunciation to the name of any plat theretofore recorded in the County where the subject property is situated).
 - b. Property boundary lines and dimensions of the property and any significant topographical or physical features of the property.
 - c. The location, size, use and arrangement including height in stories and feet and total square feet of ground area coverage and floor area, of proposed buildings, including mobile homes, and existing buildings which will remain, if any.
 - d. Location, dimensions of all driveways, entrances, curb cuts, parking stalls, loading spaces and access aisles, and all other circulation elements including bike and pedestrian; and the total site coverage of all circulation elements.
 - e. Location, designation and total area of all common open space.
 - f. Location, designation and total area proposed to be conveyed or dedicated for public open space, including parks, playgrounds, school sites and recreational facilities.

- g. Proposed lots and blocks, if any, and numbering system.
 - h. The location, use and size of structures and other land uses on adjacent properties.
 - i. Detailed sketches and provisions of proposed landscaping.
 - j. General grading and drainage plans for the developed PUD.
 - k. Any other information that may have been required by the Planning Commission or Council in conjunction with the approval of the general concept plan.
3. An accurate legal description of the entire area within the PUD for which final development plan approval is sought.
 4. A tabulation indicating the number of residential dwelling units and expected population.
 5. A tabulation indicating the gross square footage, if any, of commercial and industrial floor space by type of activity (e.g., drug store, dry cleaning, supermarket.).
 6. Preliminary architectural “typical” plans indicating use, floor plan, elevations and exterior wall finishes of proposed building, including mobile homes.
 7. A detailed site plan, suitable for recording, showing the physical layout, design and purpose of all streets, easements, rights-of-way, utility lines and facilities, lots, block, public and common open space, general landscaping plan, structure, including mobile homes, and uses.
 8. Preliminary grading and site alteration plan illustrating changes to existing topography and natural site vegetation. The plan should clearly reflect the site treatment and its conformance with the approved concept plan.
 9. A preliminary plat prepared in accordance with the Montrose Subdivision Ordinance.
 10. A soil erosion control plan in accordance with the Minnesota Pollution Control Agency’s Best Management Practices and in compliance with National Pollutant Discharge Elimination System (NPDES) Phase II permit requirements or an other agency with review authority clearly illustrating erosion control measures to be used during construction and as permanent measures.

11. A statement summarizing all changes which have been made in any document, plan data or information previously submitted, together with revised copies of any such document, plan or data.
 12. Such other and further information as the Planning Commission, Administrator or Council shall find necessary to a full consideration of the entire proposed PUD or any stage thereof.
 13. The Planning Commission may excuse an applicant from submitting any specific item of information or document required in this section which it finds to be unnecessary to the consideration of the specific proposal for PUD approval.
- C. Final Plan Stage: After approval of a general concept plan for the PUD and approval of a development stage plan for a section of the proposed PUD, the applicant will submit the following material for review by the City staff prior to issuance of a building permit.
1. Proof of recording any easements and restrictive covenants prior to the sale of any land or dwelling unit within the PUD and of the establishment and activation of any entity that is to be responsible for the management and maintenance of any public or common open space or service facility.
 2. All certificates, seals and signatures required for the dedication of land and recordation of documents.
 3. Final architectural working drawings of all structures.
 4. A final plat and final engineering plans and specifications for streets, utilities and other public improvements, together with a development contract agreement for the installation of such improvements and financial guarantees for the completion of such improvements.
 5. Any other plan, agreements, or specifications necessary for the City staff to review the proposed construction. All work shall be in conformance with the Minnesota State Uniform Building Code.

1010-4: PROCEDURE FOR PROCESSING A PLANNED UNIT DEVELOPMENT:

- A. Application Conference: Upon filing of an application for PUD, the applicant of the proposed PUD is encouraged to arrange for and attend a conference with the Zoning Administrator. The primary purpose of the conference shall be to provide the applicant with an opportunity to gather information and obtain guidance as to the general suitability of his proposal for the area for which it is proposed and its

conformity to the provisions of this Ordinance before incurring substantial expense in the preparation of plans, surveys, and other data.

B. General Concept Plan:

1. Purpose: The general concept plan provides an opportunity for the applicant to submit a plan to the City showing his basic intent and the general nature of the entire development without incurring substantial cost. The following elements of the proposed general concept plan represent the immediately significant elements for City review and comments:

- a. Overall maximum PUD density range.
- b. General location of major streets and pedestrian ways.
- c. General location and extent of public and common open space.
- d. General location of residential and non-residential land uses with approximate type and intensities of development.
- e. Staging and time schedule of development.
- f. Other special criteria for development.

2. Schedule:

- a. Developer meets with the Zoning Administrator to discuss the proposed developments.
- b. The applicant shall file the concept stage application, together with all supporting data and filing fee as established by City Council resolution.
- c. Within thirty (30) days after verification by the staff that the required plan and supporting data is adequate, the Planning Commission shall hold a public hearing.
- d. The Zoning Administrator, upon verification of said application, shall set a public hearing for the next regular meeting of the Planning Commission. The Planning Commission shall conduct the hearing, and report its findings and make recommendations to the City Council. Notice of said hearing shall consist of a legal property description, description of request and map detailing property location, and be published in the official newspaper at least ten (10) days prior to the hearing and written notification of said hearing

shall be mailed at least ten (10) days prior to all owners of land within three hundred fifty (350) feet of the boundary of the property in question.

- e. Failure of a property owner to receive said notice shall not invalidate any such proceedings as set forth within the Ordinance.
 - f. The Zoning Administrator shall instruct the appropriate staff persons to prepare technical reports where appropriate and provide general assistance in preparing a recommendation on the action of the City Council.
 - g. The Planning Commission and City staff shall have the authority to request additional information from the applicant concerning operational factors or to retain expert testimony with the consent and at the expense of the applicant concerning operation factors, said information to be declared necessary to establish performance conditions in relation to all pertinent sections of this Ordinance.
 - h. The applicant or a representative thereof shall appear before the Planning Commission in order to answer questions concerning the proposed development.
 - i. Within sixty (60) days of the public hearing, or such further time as may be agreed to by the applicant, the Planning Commission shall itself review said reports and plans and submit its written report and recommendations to the Council and applicant. Such report shall contain the findings of the Planning Commission with respect to the general concept plan. If the Planning Commission fails to act within the time specified herein, it shall be deemed to have recommended the plan for approval.
 - j. Within thirty (30) days of receipt of the report and recommendation of the Planning Commission, the Council shall grant approval, resubmit the plan to the Planning Commission for further consideration of specified items or deny approval of the plan.
3. Optional Submission of Development Stage Plan: In cases of single stage PUDs or where the applicant wishes to begin the first stage of a multiple stage PUD immediately, he may, at his option, initially submit development stage plans for the proposed PUD. In such case, the Planning Commission and Council shall consider such plans, grant or deny development stage plan approval in accordance with the provisions of this Sub-section B.

4. **Effect of Concept Plan Approval:** Unless the applicant shall fail to meet time schedules for filing development stage and final plans or shall fail to proceed with development in accordance with the plans as approved or shall in any other manner fail to comply with any condition of this Ordinance or of any approval granted pursuant to it, a general concept plan which has been approved shall not be modified, revoked or otherwise impaired pending this application of development stage and final plans by any action of the City without the consent of the applicant.
5. **Limitation of General Concept Plan Approval:** Unless a development stage plan covering at least ten (10) dwelling units or the area designated in the general concept plan as the first stage of the PUD, whichever is greater, has been filed within six (6) months from the date Council grants general concept plan approval, or in any case where the applicant fails to file development stage and final plans and to proceed with development in accordance with the provisions of this Ordinance and of an approved general concept plan, the approval may be revoked by Council action. In such cases, the Council shall forthwith adopt a resolution repealing the general concept plan approval for that portion of the PUD that has not received final approval and re-establishing the zoning and other ordinance provisions that would otherwise be applicable. Upon application by the applicant, the Council at its discretion may extend for additional periods not in excess of six (6) months each, the filing deadline for any development stage plan, when, for good cause shown, such extension is necessary.

C. **Development Stage:**

1. **Purpose:** The purpose of the development stage plan is to provide a specific and particular plan upon which the Planning Commission will base its recommendation to the Council and with which substantial compliance is necessary for the preparation of the final plan.
2. **Submission of Development Stage:** Upon approval of the general concept plan, and within the time established in Sub-section B.5 above, the applicant shall file with the Zoning Administrator a development stage plan consisting of the information and submissions required by Section 1010-4.B for the entire PUD or for one or more stages thereof in accordance with a staging plan approved as part of the general concept plan. The development stage plan shall refine, implement and be in substantial conformity with the approved general concept plan.
3. **Review and Action by City Staff and Planning Commission:** Immediately upon receipt of a completed development stage plan, the Administrator shall refer such plan to the following City staff and/or official bodies for the indicated action:

- a. The City Attorney for legal review of all documents.
- b. The City Engineer for review of all engineering data and the development contract.
- c. The City Building Official for review of all building plans.
- d. The Zoning Administrator for review of all plans for compliance with the intent, purpose and requirements of this Ordinance and conformity with the general concept plan and Comprehensive Plan.
- e. The City Planning Commission for review and recommendation to the Council.
- f. When appropriate, as determined by the Zoning Administrator, to other special review agencies such as the Watershed Districts, Soil Conservation Services, Wright County Highway Departments or other affected agencies.

All staff designated in Section 1013-3.C.3.a through 1010-3.C.3.d hereof shall submit their reports in writing to the Planning Commission and applicant.

4. Schedule:

- a. Developer meets with the Zoning Administrator and City staff to discuss specific development plans.
- b. The applicant shall file the development stage application within six (6) months after concept plan review, together with all supporting data and filing fee as established by City Council resolution.
- c. A technical staff report shall be prepared on the proposed development, and distributed to the Planning Commission and the applicant prior to the meeting.
- d. The applicant or a representative thereof shall appear before the Planning Commission in order to answer questions concerning the proposed development.
- e. Planning Commission will make a recommendation to the City Council on the general concept plan.
- f. City Council reviews all recommendations and approves/denies the plan.

- g. The City Clerk shall instruct the City Attorney to draw up a PUD agreement which stipulates the specific terms and conditions approved by the City Council and accepted by the applicant. This agreement shall be signed by the Mayor of the City, City Clerk, and the applicant within thirty (30) days of Council approval of the development stage plan. Where the development stage plan is to be resubmitted or denied approval, the Council action shall be by written report setting forth the reasons for its action.
- 5. Limitation on Development Stage Plan Approval: Unless a final plan covering the area designated in the development stage plan as the first stage of the PUD has been filed within six (6) months from the date Council grants development stage plan approval, or in any case where the applicant fails to file final plans and to proceed with development in accordance with the provisions of this Ordinance and/or an approved development stage plan, the approval shall expire. Upon application by the applicant, the Council at its discretion may extend for not more than six (6) months, the filing deadline for any final plat when, for good cause shown, such extension is necessary. In any case, where the Council shall forthwith adopt a resolution repealing the general concept plan approval and the development stage plan approval for that portion of the PUD that has received final plan approval and re-establishing the zoning and other ordinance provisions that would otherwise be applicable.
 - 6. Site Improvements: At any time following the approval of a development stage plan by the Council, the applicant may, pursuant to the applicable ordinances of the City, apply for, and the City Engineer may issue, grading permits for the area within the PUD for which development stage plan approval has been given.
- D. Final Plan:
- 1. Purpose: The final plan is to serve as a complete, thorough and permanent public record of the PUD and the manner in which it is to be developed. It shall incorporate all prior approved plans and all approved modifications thereof resulting from the PUD process. It shall serve in conjunction with other City ordinances as the land use regulation applicable to the PUD. The final plan is intended only to add detail to, and to put in final form, the information contained in the development stage plan and shall conform to the development stage plan in all respects.
 - 2. Schedule:
 - a. Upon approval of the development stage plan, and within the time established by Sub-section C.5 above, the applicant shall file with the Zoning Administrator a final plan consisting of the information

and submissions required by Sub-section 1010-3 of this Ordinance for the entire PUD or for one or more stages. This plan will be reviewed and approved/denied by City staff, unless otherwise specified by the City Council.

- b. Within thirty (30) days of its approval, the applicant shall cause the final plan, or such portions thereof as are appropriate, to be recorded with the Wright County Register of Deeds or Registrar of Titles. The applicant shall provide the City with a signed copy verifying County recording within forty (40) days of the date of approval.
3. **Building and Other Permits:** Except as otherwise expressly provided herein, upon receiving notice from the Zoning Administrator that the approved final plan has been recorded and upon application of the applicant pursuant to the applicable ordinances of the City, all appropriate officials of the City may issue building and other permits to the applicant for development, construction and other work in the area encompassed by the approved final plan provided, however, that no such permit shall be issued unless the appropriate official is first satisfied that the requirements of all codes and ordinances in which are applicable to the permit sought, have been satisfied.
4. **Limitation on Final Plan Approval:** Within one (1) year after the approval of a final plan for PUD, or such shorter time as may be established by the approved development schedule, construction shall commence in accordance with such approved plan. Failure to commence construction within such period shall, unless an extension shall have been granted as hereinafter provided, automatically render void the PUD permit and all approvals of the PUD plan and the area encompassed within the PUD shall thereafter be subject to those provisions of this Ordinance, and other ordinances, applicable in the district in which it is located. In such case, the Council shall forthwith adopt an ordinance repealing the PUD permit and all PUD approvals and re-establishing the zoning and other ordinance provisions that would otherwise be applicable. The time limit established by this sub-section may, at the discretion of the Council, be extended for not more than one (1) year.
5. **Inspections During Development; Compliance With Overall Plan:**
 - a. Following final plan approval of a PUD, or a stage thereof, the Zoning Administrator shall, at least annually until the completion of development, review all permits issued and construction undertaken and compare actual development with the approved development schedule.

- b. If the Zoning Administrator finds that development is not proceeding in accordance with the approved schedule, or that it fails in any other respect to comply with the PUD plans as finally approved, he shall immediately notify the Council.
- c. Within thirty (30) days of such notice, the Council shall either by ordinance revoke the PUD permit, and the land shall thereafter be governed by the regulations applicable in the district in which it is located; or shall take such steps as it shall deem necessary to compel compliance with the final plans as approved; or shall require the landowner or applicant to seek an amendment of the final plan.