



CITY OF BUCHANAN PLANNING COMMISSION
TUESDAY, OCTOBER 13, 2026 – 6:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

AGENDA

The City of Buchanan Planning Commission, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.

** Comments may also be submitted in writing at least 4 hours in advance to the Zoning & Community Development Director Kristen Gundersen at kgundersen@cityofbuchanan.com*

** Buchanan City will provide necessary and reasonable auxiliary aide and services to those individuals with disabilities who wish to attend the public meeting upon receiving at least one (1) week’s prior notice. Any such individual requiring such aids or services should contact the city in writing or by telephoning: Buchanan City Clerk; 302 North Redbud Trail, Buchanan, MI 49107, 269-695-3844.*

I. PUBLIC HEARING

- A. Public Hearing - consideration of a Map Amendment (rezoning) from N Natural to NE Neighborhood Edge district for property at 1106 Victory Street
- B. Call to Order
- C. Roll Call
- D. Opening of Hearing and Statement of Purpose of the Hearing
- E. Announcement of the Rules of the Hearing
- F. Presentation by the Applicant
- G. Presentation by the Opposition
- H. Applicant's Rebuttal
- I. Closing of Hearing

II. Regular Meeting - Call to Order

III. Pledge of Allegiance

IV. Roll Call

V. Approve Agenda

VI. Public Comments - Agenda Items

VII. Approve Minutes

- A. Consider the Public Hearing and Regular Meeting Minutes from September 8, 2026.

VIII. Old Business

IX. New Business

- A. Consideration of a Map Amendment (rezoning) from N Natural to NE Neighborhood Edge district for property at 1106 Victory Street
- B. Discussion Unified Development Code – Section 71-27 Parking and loading standards draft regulations

C. Discussion Unified Development Code – establishment of Planned Unit Development (PUD) regulations

- X. Public Comment - Non-Agenda Items Only**
- XI. Zoning & Community Development Director Comments**
- XII. Commissioner Comments**
- XIII. Adjournment**



CITY OF BUCHANAN PLANNING COMMISSION
TUESDAY, SEPTEMBER 08, 2026 – 6:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

III. PUBLIC HEARING

A. Call to Order

The Public Hearings were called to order at 6:02 p.m. by Vice-Chair Garry.

B. Roll Call

Present: Vigansky, Brown, Pleasant, Lysy, Garry

Absent: Houser, Wregglesworth

C. Opening of Hearing and Statement of Purpose of the Hearing

The purpose of the public hearings is to receive public comments regarding the proposed amendments to the City of Buchanan Unified Development Code

Motion made by Brown, supported by Vigansky to open the public hearing at 6:02 p.m. Voice vote carried unanimously.

C. Announcement of the Rules of the Hearing

Garry announced the Rules of the hearing.

E. Proposed map amendment (rezoning) from N Natural to I Industrial for the property located at the northeast corner of East Third Street and Skyline Drive, now known as 805 E. Third Street.

1) Presentation by the Applicant/City Staff

Staff presented the proposed map amendment to rezone the property located at the northeast corner of East Third Street and Skyline Drive, now known as 805 E. Third Street, from N Natural to I Industrial.

Staff explained that the property is partially improved with the McCoy Creek Trail and a surface parking lot. The property had previously been zoned Industrial but was changed to Natural with adoption of the current zoning map. Staff explained that the property is subject to a due care agreement and needs to remain industrial to maintain compliance with that agreement. Recorded covenants and the McCoy Creek Trail easement also limit the use of the property. Pasted text

2) Public Comment

There were no public comments.

3) Applicant/City Staff Response, if necessary

F. Proposed amendments to the Unified Development Code allowing creation of Downtown Design Review Overlay District and standards for review – Amendments to Sections 71-5.A, 71-14.A, 71-16.H.12, 71-33.E and 71-34.G and Article V Definitions

1) Presentation by the Applicant/City Staff

Staff presented proposed amendments to the Unified Development Code relating to the Downtown Design Review Overlay District and the standards and procedures for design review.

Staff explained that when the Unified Development Code was adopted, the standards and processes for downtown design review were not fully incorporated into one section. The proposed

amendments consolidate and clarify the review standards and process, establish the Downtown Design Review Overlay District, provide for administrative review where appropriate, and designate the Planning Commission as the appeal body for decisions of the Downtown Design Review Committee.

2) Public Comment

There were no public comments.

3) Applicant/City Staff Response, if necessary

- G. Proposed amendments Unified Development Code – New Section 71-28 Fencing, Lighting, Screening and Landscaping Standards and deletion of Sections 71-26 Buffering, 71-28 Tree preservation and landscape standards and 71-29 Fencing standards and changes to Article V Definitions

1) Presentation by the Applicant/City Staff

Staff presented proposed amendments pertaining to fencing, lighting, screening and landscaping standards.

Staff explained that several sections of the Unified Development Code were being consolidated and expanded. The amendments provide additional fencing standards, establish lighting regulations for commercial properties, expand screening requirements for refuse containers, outdoor storage, loading areas and mechanical equipment, and revise landscaping regulations.

The amendments also eliminate the existing tree-removal permit requirement, update the recommended tree species, and provide a modification process for fences that do not meet dimensional requirements. Chain-link fencing would again be permitted in side and rear yards but would remain prohibited in front yards.

2) Public Comment

There were no public comments.

3) Applicant/City Staff Response, if necessary

- H. Proposed amendments to the Unified Development Code Section 71-30 Sign standards and Article V Definition.

1) Presentation by the Applicant/City Staff

Staff presented proposed amendments to Section 71-30, Sign Standards, and related Article V definitions.

Staff explained that the proposed regulations provide clearer standards for exempt and prohibited signs, permanent and temporary signage, illumination, sign measurement, changeable message signs, billboards, nonconforming signs, permitting and modifications.

The proposed regulations maintain a minimum clearance of 6 feet 8 inches for hanging attention devices in the Downtown District.

2) Public Comment

William Bielby, co-owner of Rivertown Gallery and Studio, 111 Main Street, addressed the Commission. Bielby stated that he supported the sign revisions overall but requested that the Commission consider allowing a hanging sign below the normal clearance when a fixed detectable barrier prevents pedestrians from walking beneath the sign. He stated that the barrier and sign

could be treated as one installation and, if the barrier were removed, the sign would also have to be removed or raised.

3) Applicant/City Staff Response, if necessary

I. Closing of Hearing

Motion made by Vigansky, supported by Brown, to close the public hearing at 6:019 p.m. Voice vote carried unanimously.

IV. Regular Meeting - Call to Order

The Regular Meeting of the Buchanan Planning Commission was called to order at 6:19 p.m.

V. Pledge of Allegiance

The Pledge of Allegiance was recited.

VI. Roll Call

Present: Vigansky, Brown, Pleasant, Lysy, Garry

Absent: Houser, Wregglesworth

City Staff: Kristen Gundersen, Planning and Community Development Director & Kalla Langston-Weiss, City Clerk

VII. Public Comments - Agenda Items

No additional public comment.

VIII. Approve Agenda

Motion by Pleasant, supported by Lysy, to approve the agenda as presented. Motion carried unanimously.

IX. Approve Minutes

A. Consider approving the Regular Meeting Minutes from August 11, 2026.

Motion by Brown, supported by Vigansky, to approve the Regular Meeting Minutes of August 11, 2026, as presented. Motion carried unanimously.

X. New Business

A. Public Hearing - Consideration of Map Amendment from N Natural to I Industrial for property at northeast corner of East Third Street and Skyline Drive - now known as 805 E Third Street

The Commission discussed the proposed rezoning and the due care agreement affecting the property. Staff explained that the agreement is expected to remain with the property and that changing the underlying zoning could require additional review with EGLE.

Commissioners discussed the McCoy Creek Trail easement, environmental restrictions on the site, the property's current use, and whether the Future Land Use Map could ultimately identify all or a portion of the property as open space even though the current zoning needs to remain Industrial. Pasted text

Motion by Vigansky, supported by Brown, to recommend approval of the map amendment (rezoning) from N Natural District to I Industrial District for the property located at the northeast corner of East Third Street and Skyline Drive, or 805 East Third Street, based on the application provided in the September 8, 2026 Planning Commission agenda packet, as the proposed amendment is consistent with the standards for text or map amendment changes as found in Section 71.36.B.2 of the Unified Development Code. Roll call vote carried unanimously.

- B. Public Hearing - Consideration of Text Amendment Sections 71-5.Z, 71-14.A, 71-16.H.12, 71-33.E and 71.34G and Article V Definitions - related with creation of Downtown Design Overlay District and establishment of design standards

Motion by Brown, supported by Lysy, to recommend approval of the text amendment to modify and establish regulations pertaining to the creation of the Downtown Design Review Overlay District and review processes and standards in Sections 71.5.A, 71-14.A, 71-16.H.12, 71-33.E and 71-34.G, Article V Definitions, and any other sections of the Unified Development Code that may be necessary, as found in the September 8, 2026 Planning Commission agenda packet, as the proposed amendment is consistent with the standards for text or map amendment changes found in Section 71.36.B.2 of the Unified Development Code. Roll call vote carried unanimously.

- C. Public Hearing - Consideration of Text amendment to modify and establish regulations pertaining to Fencing, Lighting, Screening and Landscape Standards found in Sections 71-26, 71-27F and H, 71-28, 71-29, 71-32 and Article V Definitions

The Commission considered the proposed amendments relating to fencing, lighting, screening, landscaping and related definitions.

Motion by Lysy, supported by Brown, to recommend approval of the proposed text amendments modifying and establishing regulations pertaining to fencing, lighting, screening and landscaping standards, related Zoning Board of Appeals provisions and Article V definitions, as presented in the September 8, 2026 Planning Commission agenda packet. Roll call vote carried unanimously.

- D. Public Hearing - Consideration of Text Amendment Section 71-30 Signs and Article V Definitions - Relating to Sign Regulations

The Commission discussed the request made during the public hearing concerning lower hanging attention signs when a detectable barrier is placed underneath.

Discussion centered on accessibility, pedestrian travel, snow removal, private objects being placed in the public right-of-way, maintenance of the new downtown sidewalks, enforcement and potential liability.

Staff explained that allowing the lower signs now could create lawful nonconforming installations if the regulations were later changed. Staff also advised that the City intends to review regulations concerning sidewalk cafés and other items placed on public sidewalks and suggested that the issue could be considered further as part of that process.

The consensus was to move the current sign amendments forward without delaying the larger ordinance while continuing to study the hanging-sign issue.

Motion by Pleasant, supported by Brown, to recommend approval of the text amendment to Section 71-30 Sign Standards and Article V Definitions, including the deletion of existing language associated with signs or signage and replacement with the draft language contained in the September 8, 2026 Planning Commission agenda packet, as the proposed amendment is consistent with the standards for text or map amendment changes found in Section 71.36.B.2 of the Unified Development Code. Roll call vote carries unanimously.

- E. Resignation Announcement, Vacancy and Appointment of Chairperson

Motion by Brown, supported by Pleasant, to accept the resignation of Tony Houser from the Planning Commission.

Commissioners thanked Houser for his service to the Planning Commission and his time serving as Chair.

Motion carried unanimously.

Staff advised that the resulting vacancy must be filled by a City resident, as the Planning Commission currently has the maximum number of permitted nonresident members. The City will advertise the vacancy.

Motion by Brown, supported by Pleasant, to appoint Jen Garry as Chairperson.
Motion carried unanimously.

Because Garry had previously served as Vice Chair, the Commission then considered appointment of a new Vice Chair.

Motion by Lysy, supported by Pleasant, to appoint Jake Brown as Vice Chairperson.
Motion carried unanimously.

XI. Old Business

- A. Master Plan - Review Revised Future Land Use Map, Objectives-Goals and Tasks and Next Steps
Staff reviewed the revised Future Land Use Map and discussed work completed with the planning consultant.
Proposed changes included consolidating residential classifications, identifying the Redbud Trail corridor as Mixed Use, retaining commercial areas along Front Street, adjusting the Downtown boundary, reclassifying certain properties based upon their existing and anticipated future uses, and replacing the Natural designation with Open Space. The cemetery was also proposed for inclusion in the Open Space designation. Pasted text
Commissioners discussed the treatment of schools and other civic properties, industrial and environmentally restricted properties, downtown parking areas, and the property at East Third Street and Skyline Drive.
The Commission discussed whether portions of the East Third Street property associated with the McCoy Creek Trail could be shown as Open Space on the Future Land Use Map. Staff agreed to discuss the matter further with the planning consultant.
The Commission also discussed encouraging collaboration between the City, property owners and preservation organizations to pursue additional historic district designations where appropriate. Staff advised that additional Master Plan work would continue and requested that the Commission meet in October to review further draft material, including potential Planned Unit Development and parking regulations. The Commission discussed potentially conducting a public hearing in November and avoiding a December meeting if possible.

XII. Public Comment - Non-Agenda Items Only

None.

XIII. Zoning & Community Development Director Comments

Staff provided updates regarding upcoming Master Plan work and proposed zoning amendments.

XIV. Commissioner Comments

Commissioners thanked Tony Houser for his service and expressed appreciation for the discussion among the Commission, staff and members of the public.

Commissioners congratulated Jen Garry on her appointment as Chairperson and Jake Brown on his appointment as Vice Chairperson.

XV. Adjournment

Motion by Brown, supported by Lysy, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 7:24 p.m.

Kalla Langston-Weiss, City Clerk

Memorandum



Date: August 24, 2026

To: Buchanan Planning Commission

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Consideration of a Map Amendment (rezoning) from N Natural to NE Neighborhood Edge district for property at 11106 Victory Street**

Background

The City of Buchanan is requesting a map amendment (rezoning) from the N Natural to NE Neighborhood Edge district for the approximate 32,480 square foot unimproved parcel located at 1106 Victory Street. The property is owned by the city of Buchanan.

The city purchased the property in November 1979 and is planning on selling the property to allow for residential development. Table 71-C Neighborhood Edge (NE) Standards and Section 71-11.C require a minimum lot width of 60' and no minimum lot area.

Standards for Review

Section 71-36 Specific standards for development approvals and within 71-36.B.2 standards for Amendments to text or the zoning map are stated. The Planning Commission needs to review and discuss the standards before a motion is made. Following is the language from Section 71-36.B.2 of the Unified Development Code:

2. Standards. The advisability of amending the text of this chapter or making an amendment to the zoning map is a matter committed to the legislative discretion of the city commission. In determining whether to adopt or disapprove the proposed amendment, the city commission must consider the following factors:
 - a. Consistent with master plan and vision plan. Whether and the extent to which the proposed amendment is consistent with the master plan and the vision plan.
 - b. Changed conditions. Whether and the extent to which there are changed conditions that require an amendment.
 - c. Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.
 - d. Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this chapter will maintain or improve

Memorandum

compatibility among uses and will ensure efficient development within the City.

- e. Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

Recommendation

Conduct the necessary public hearing for an amendment to zoning map for the property and deliberate the request while reviewing the standards found in Section 71.36.B.2 of the Unified Development Code.

An example motion for approval can be: Move to recommend approval of the map amendment (rezoning) from N Natural District to NE Neighborhood Edge for the property located at 1106 Victory Street based on the application provided in the October 13, 2026 Planning Commission agenda packet as the proposed amendment is consistent with the standards for text or map amendment changes as found in Section 71.36.B.2 of the Unified Development Code.

Location Map - 1106 Victory Street



Zoning Map – 1106 Victory Street



- Zoning Districts
- Natural (N)
 - Neighborhood Edge (NE)
 - General Neighborhood (GN)
 - Neighborhood Center (NC)
 - Downtown (D)
 - Suburban Commercial (SC)
 - Industrial (I)
 - Planned Unit Development (PUD)

Photographs – 11106 Victory Street



View looking east from Victory Street of northern portion of parcel



View looking east from Victory Street of southern portion of parcel



Map Amendment (Rezoning) Application

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. If additional space is needed, please use additional sheets of paper.

Property Information

Property Address (es): 1106 Victory Street

Property Code Number(s) (Tax Number): 11-58-2000-0360-00-8

Briefly Explain Request: Map Amendment/rezoning from N Natural to NE Neighborhood Edge

Applicant Information

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: City of Bucchanan

Relationship to Property Owner: Kristen Gundersen, Planning & Community Development Director - staff

Mailing Address: 302 N Redbud Trail

City: Bucchanan State: MI Zip Code: 49107

Telephone Number: 269.695.3844 Emergency Number: _____

E-mail Address: _____

Name of Property Owner: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Attorney: Butzel

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Engineer or Architect: N/A

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Site Information

General description or characteristics of the site: Vacant with wooded ravine at rear
or east end of property

Master Plan Designation: R1A/R1B Residential with park reference

Existing Zoning and Land Use: N Natural - vacant

Proposed Zoning and Land Use: NE Neighborhood Edge - residential

Existing square footage of property: 140' x 232' - 32,480 sf or 0.75-acres

Proposed square footage of Property: No change

Existing square footage of all buildings on the property: Vacant

Proposed square footage of all buildings on the property: Unknown

Existing zoning and land uses of adjacent parcels:

North: N Natural - vacant with unimproved public right-of-way

South: NE Neighborhood Edge - vacant and residential

East: N Natural - Indiana Michigan Power Company property

West: NE Neighborhood Edge - vacant and residential

Is there floodplain or wetlands on the property? Yes: _____ No: XX

Map Amendment Standards

If needed use additional sheets of paper to respond to Standards.

Section 71-36.B.2 Standards. The advisability of amending the text of this chapter or making an amendment to the zoning map is a matter committed to the legislative discretion of the City Commission. In determining whether to adopt or disapprove d the proposed amendment, the City Commission must consider the following factors:

- a. Consistent with master plan and vision plan. Whether and the extent to which the proposed amendment is consistent with the master plan and the vision plan.
While the 2021 Master Plan depicts the parcel as a city park, staff has research and found that the property has not been formally dedicated as a park and there are no recorded documents referencing park land.
There is a need for additional housing in the community.
- b. Changed conditions. Whether and the extent to which there are changed conditions that require an amendment.
The property was never formally designated as park land and city is looking to develop other parcels with park improvements. There is a need for additional housing units in the city which could be constructed in the NE Neighborhood Edge District.
- c. Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.
There is a nation wide housing shortage. This parcel is owned by the city and could be sold for housing.
- d. Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this chapter will maintain or improve compatibility among uses and will ensure efficient development within the City.
The properties to the west and and south are located in the NE Neighborhood Edge District and improved with residential dwellings.
- e. Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.
The properties to the west and south are located in the NE Neighborhood Edge District and improved with residential dwellings.

MAP AMENDMENT (REZONING) APPLICATION CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten (10) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

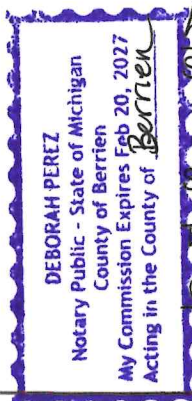
On the 21st, day of Sept, 20 26, I/We have read the above certification, understand it, and agree to abide by its conditions.

Kristen Gundersen for City of Buchanan Kristen Gundersen
 Signature of Applicant or Authorized Agent Name of Applicant or Authorized Agent

SUBSCRIBED AND SWORN

To before me this 21st day of
Sept, 20 26

Deborah Perez
 Notary Public



Memorandum



Date: October 7, 2026

To: City of Buchanan Planning Commission

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Unified Development Code – Section 71-27 Parking and loading standards draft regulations**

Staff previously discussed the regulations found in Section 71-27 Parking and loading standards as found in the Unified Development Code that was adopted in December 2025. Similar to other amendments to the document, staff is recommending deleting in its entirety Section 71-27. Attached are the current regulations and the rough draft document which is set up as follows:

- A. Intent/purpose statement
- B. Applicability which creates a staggered approach to expansion of nonconformities associated with parking and loading requirements.
- C. Shared parking
- D. Fee in lieu of required on-site parking
- E. Landbank of required parking
- F. Definitions, measurements and calculations
- G. Access into building from parking or street
- H. Driveway access at the lot line
- I. parking space and drive aisle design requirements
- J. Allowable driveway, parking and storage area materials
- K. Permitted location of driveway, parking and storage areas
- L. Parking requirement standards
- M. Bicycle parking and storage requirements
- N. Electric vehicle charging stations – need to discuss if needed
- O. Loading facilities

Next steps.

Review and discuss the rough draft document and the regulations found in the previous zoning ordinance. Direct staff to make changes for review at a future meeting.

Section 71-27. Access Management, Parking and Loading Standards

A. Purpose and Intent

The purpose of this section is to provide safe and convenient access for motorists, pedestrians, bicyclists, transit users, service vehicles, and emergency responders while avoiding an oversupply of parking, supporting compact and walkable development, protecting neighborhood character, reducing stormwater runoff and heat-island effects, and allowing the adaptive reuse of existing buildings.

B. Applicability

1. New development. This section applies to all new construction or expansion of existing surface parking areas.
2. Change of use or increase in building square footage. For any development activity involving an improved property, additional on-site parking shall be required when the floor area of any building or structure, or parking areas, or any combination thereof, is increased, as follows:
 - i. If the total of the existing gross square footage of the building is increased by twenty-five percent (25%) or less, no additional on-site parking is required.
 - ii. If the total of the existing gross square footage of the building is increased by more than twenty-five percent (25%) but less than fifty percent (50%), such on-site parking is required for that portion of the building expanded area.
 - iii. If the total of the existing gross square footage of the building is increased fifty percent (50%) or more, such on-site parking is required for the entire building.
3. The percentage of increase shall be calculated by combining all increases in gross floor area(s) after the effective date of this ordinance.
4. Existing lawful parking need not be increased solely because this section is adopted
5. Maintenance. Resurfacing, restriping, repair, or lawful continuation of an existing parking area does not by itself require full site compliance, except that required accessible spaces and routes shall comply with applicable law.
6. Conflict. When another provision of this Code imposes a more specific parking or loading standard, the more specific provision controls.

C. Shared Parking

Purpose and applicability. *Shared Use of Parking Areas.* The joint use of parking areas by two or more Uses may be approved by the zoning administrator whenever such joint use is practical and satisfactory to each of the uses intended to be served, and when all requirements for location, design, and construction are met.

A. *Computing Capacities.* In computing capacities of any joint parking area, the total parking space requirement is the sum of the greatest number of parking spaces required for the individual uses that will occur at the same time. If the maximum space requirements for individual uses occur at distinctly different times, the total number of off-street parking spaces required for joint use may be reduced by the zoning administrator.

B. *Record of Agreement.* A copy of an agreement between all joint users and the city shall be filed with and must be approved by the zoning administrator, and recorded with the Register of Deeds of Berrien County prior to the issuance of any city permit. The agreement shall include provisions for the continued long-term use and maintenance of the parking area as well as the allocation of parking spaces to each use.

D. Fee in-lieu of required on-site parking

When required on-site parking cannot reasonably be provided the applicant may request approval to satisfy all or part of the remaining requirement by paying a fee in lieu of each space not provided. Approval is discretionary and may be granted by the city commission upon finding that:

- (a) the spaces on site would be impracticable because of lot size, existing buildings, historic resources, environmental conditions, or other site constraints;
- (b) the reduction will not create an unreasonable burden on adjoining neighborhoods or impair public safety; and
- (c) public parking, shared parking, multimodal access, or planned parking improvements can reasonably serve the use.

The fee per space shall be established and periodically updated by the City Commission based on the reasonable cost of acquiring, constructing, improving, managing, or maintaining public parking and related access improvements. The fee shall be paid before issuance of a building permit, or as specified in the approval, and deposited in a separate public parking and access fund. Money in the fund shall be used only for public parking facilities, shared-parking programs, parking-management systems, pedestrian or bicycle connections serving public parking, transit-access improvements, or similar measures within or benefiting the area from which the fee was collected.

Payment does not reserve or guarantee the availability of a particular public parking space. Required accessible parking spaces and access aisles shall not be waived or satisfied through a fee in lieu. The approval may include conditions, shall run with the approved development, and shall be documented in a form acceptable to the City Attorney.

E. Landbank of required parking

Don't build all parking at time of construction because believe have enough – shown on site plan and engineered to allow construction

F. Definitions, Measurements, and Calculations.

A. *Fractional Space.* When a calculation determining the number of required parking spaces results in a fractional space, any fraction to and including one-half shall be disregarded and fractions over one-half shall require one parking space.

B. *Goods:*

i. *Durable Goods:* those goods that are typically more expensive due to their longevity. Examples include appliances, furniture and vehicles.

ii. *Nondurable Goods*: those goods that are "consumed" or used up, in a shorter time period. Examples of nondurable goods include clothing, food, household items, paper products, clothing, and light bulbs.

C. *Seating Capacity*. When benches or other similar seating is used, each 24 inches of that seating shall be counted as one seat, unless Table 18-1 specifies otherwise.

D. *Square Feet*. The total area of a building measured by taking the outside dimensions of the building at each floor intended for occupancy, without deductions, except for area devoted for enclosed off-street parking or loading facilities which includes maneuvering space and drive aisles. In the case where an interior building wall separates two users, the square footage shall be measured from the inside face of such an inside wall.

G. Access into building from parking or street

Purpose and applicability. Each primary public or employee entrance shall provide a safe, continuous, and accessible route into the building.

1. Accessible route: At least one principal entrance shall connect to an accessible route from parking, passenger loading areas, public sidewalks, and other site arrival points provided for building users.
2. Identification and security: Clearly identify the accessible entrance. Intercoms, card readers, call buttons, and other access-control devices shall be reachable, operable, and usable without blocking the required clear space.
3. Emergency egress: Entry-door accessibility shall not reduce required fire protection, panic hardware, emergency egress capacity, or security performance.

Maintenance: Keep the accessible route, door, hardware, controls, signage, lighting, and landing in operable condition during all occupied hours.

H. Driveway Access at the Lot Line

Purpose and applicability. These requirements establish baseline dimensions and design criteria where a driveway crosses the front lot line or street right-of-way line. They apply to new driveways and alterations to existing driveways. The public works director may require a narrower or wider opening, different geometry, or additional improvements based on street classification, vehicle type, traffic volume, drainage, utilities, or site conditions.

Need language for maximum drives allowed

Driveway Dimensions at the Lot Line			
Driveway type	Clear width at lot line	Maximum width at lot line	Return or flare
Residential	10 feet minimum	20 feet maximum for a single driveway; 24 feet maximum for a shared or two-car driveway	3-foot maximum flare on each side, unless curb-return geometry is approved

Commercial	20 feet minimum for two-way traffic; 12 feet minimum for a one-way driveway	30 feet maximum, excluding approved curb-return radii	10- to 20-foot curb-return radius, sized for the design vehicle
Industrial	24 feet minimum for two-way traffic; 14 feet minimum for a one-way driveway	36 feet maximum, excluding approved curb-return radii	20- to 40-foot curb-return radius, supported by a design-vehicle turning analysis

I. Parking Space and Drive Aisle Design Requirements

Parking Space and Drive Aisle Design Standards			
Category	Configuration	Minimum Standard	Notes
Parking Space	Standard, 90-degree	9 ft wide × 18 ft long	Additional width may be required next to fixed obstructions.
Parking Space	Compact	8 ft wide × 16 ft long	Maximum 10% of required supply; must be identified.
Parking Space	Parallel	8 ft wide × 22 ft long	Accessible spaces must meet applicable accessibility standards.
Drive Aisle	90-degree parking, two-way	24 ft wide	Measured between parking-space ends or opposing curbs.
Drive Aisle	60-degree parking, two-way	20 ft wide	Greater width may be required for special operating conditions.
Drive Aisle	60-degree parking, one-way	18 ft wide	Directional arrows or signs required.
Drive Aisle	45-degree parking, one-way	14 ft wide	Directional arrows or signs required.
Drive Aisle	Parallel parking, one-way	12 ft wide	Directional arrows or signs required.
Vehicle Overhang	Where an unobstructed clear area is provided	Up to 2 ft	May not reduce required sidewalks, accessible routes, landscaping, or setbacks.
Vertical Clearance	Parking structures and covered areas	Minimum 7 f clearance	Greater clearance may be required for vans, emergency

			vehicles, loading, or intended vehicle types.
Dead-End Aisle	Aisle serving more than [] spaces	Approved turnaround, added aisle width, or equivalent maneuvering area	Threshold to be established by the jurisdiction.
ADA Accessible	See Michigan Building Code for regulations		

J Allowable Driveway, Parking and Storage Area Materials

1. Driveway approaches located in the public right of way. Material used for the driveway approach located in the public right-of-way shall be limited to asphalt or concrete.
2. Driveways, parking and storage areas on private property. Material used for driveways and parking areas on private property shall be a material that shall provides a durable and substantially smooth surfaces as determined by the zoning administrator, consisting of asphalt, concrete, pavers, permeable pavement which allows water to infiltrate through the surface of the pavement to the ground below, aggregate stone or gravel.

K Permitted location of driveways, parking and storage areas

NEED TO WORK ON – how construct – some language in code of ordinances – no residential parking in front yard – code says 20' behind face of building when no attached garage.

L Parking Requirements Standards

Use	Number of Minimum Parking Spaces per unit of measure
Commercial/Office	
General office	1 space for each 350 square feet
General retail	1 space for each 350 square feet
General service	1 space for each 350 square feet
Vehicle sales and service	1 space for each 800 square feet
Food and Drink service	
Entertainment	
Indoors	
Outdoors	
Funeral home	
Industrial	
Manufacturing, Warehouse/distribution	1 space for each 1,000 square feet
research development	1 space for each 500 square feet
Hotel/Motel/Short-term rental	1 per sleeping room
Group housing/care	1 space for each 800 square feet
Residential	
1-4 dwellings	

5 or more	1.5 spaces per unit or 1.0 spaces per unit when located in the D Downtown District
Institutional	
Cultural (library, museum)	
Religious assembly	
Public school	
Private school	
Drive-through stacking spaces	

Exception: Properties located in the D Downtown District shall not be required to provide on-site parking except for buildings with more than ___ residential units or hotel/motel lodging in which case on-site parking is required.

Need to have a maximum number of on-site parking allowed

M. Bicycle Parking and Storage Requirements

Applicability and Minimum Quantity. On-site bicycle parking shall be required for all new development except for residential units with four or less units and follow the established exceptions found in Section B.1 and 2.

Exclude d district

Required is percentage of on-site parking

N. Electrical vehicle charging stations – discuss – not included in UDC

O. Loading facilities

Number

Design

Buchanan, Michigan

Sec. 71-27 Parking and loading standards

Off-street parking must be provided according to the requirements of this section, with the exception of the Downtown (D) district. It is exempt from parking quotas, but is subject to the parking location requirements of subsection §F.

- A. Automobile parking is required in the amount specified in [Table 71-N](#) and as follows:
 - 1. All uses are added to determine the minimum required parking;
 - 2. When requirements result in a fractional number, fractions are rounded down; and
 - 3. Uses within buildings less than 30 feet in depth and no more than two stories are exempt from required parking.
- B. One automobile parking space may be reduced for every four bicycle parking spaces provided.
- C. Required parking for residential uses may be adjusted downwards by 50% where spaces serve state licensed assisted living and senior independent living facilities.
- D. Required automobile parking may be fulfilled in the following locations:
 - 1. Within the same lot;
 - 2. On-street parking spaces located along lot lines;
 - 3. Within an adjacent shared parking lot; and
 - 4. Within a shared parking facility located within 600 feet of the use.

BUCHANAN UDC

ARTICLE 3 – ZONING

Buchanan, Michigan

TABLE 71-N PARKING REQUIREMENTS						
	N	NE	GN	NC	SC	I
Civic Space	No minimum					
Commercial	N/A	3 / 1,000 sq. ft.		2.5 / 1,000 sq. ft.	3 / 1,000 sq. ft.	1 / 1,000 sq. ft.
Entertainment	N/A			1 / 6 fixed seats or patrons		
Industrial & Manufacturing	Not applicable					1 / 2 employees
Institutional	N/A	1 / 4 fixed seats or patrons		1 / 8 fixed seats or patrons	Not applicable	
Lodging	N/A	1 / room		0.5 / room	Not applicable	
Residential						
Home occupations	N/A					
Accessory dwellings	N/A	1 / ADU			N/A	
per dwelling unit	N/A	2 / unit	1.5 / unit	1 / unit	N/A	

E. Shared parking.

1. Shared parking reductions are available for the NC district and Neighborhood Plans. Required parking may be adjusted downward by shared parking according to [Table 71-O](#). Shared parking is determined as follows:
 - a. Shared parking is available for two or more uses on one lot or within one block.
 - b. Parking facilities may utilize shared parking for uses within 500 feet of the facility.
 - c. Step 1. Calculate the parking required by each use in [Table 71-N](#) and sum the total.
 - d. Step 2. The gross minimum number of parking spaces from Step 1. is multiplied by the “occupancy rate” as determined by [Table 71-O](#), for each use for the weekday night, daytime and evening periods, and weekend night, daytime and evening periods respectively.
 - e. The gross minimum numbers of parking spaces for each of the purposes referred to for each time period must be added to produce the aggregate gross minimum numbers of parking spaces for each time period.
 - f. The greatest of the aggregated gross minimum numbers of parking spaces for each period will be the parking minimum.
 - g. [Table 71-O](#) defines the percent of the basic minimum needed during each time period for shared parking. (M-F = Monday to Friday)

TABLE 71-O PARKING OCCUPANCY RATES						
USES	M – F	M – F	M – F	SAT & SUN	SAT & SUN	SAT & SUN
	8 AM–6 PM	6 PM–12 AM	12 AM–8 AM	8 AM–6 PM	6 PM–12 AM	12 AM–8 AM
Residential	60%	100%	100%	80%	100%	100%
Office/ Warehouse/ Industrial	100%	20%	5%	5%	5%	5%

BUCHANAN UDC

ARTICLE 3 – ZONING

Buchanan, Michigan

TABLE 71-O PARKING OCCUPANCY RATES

USES	M – F	M – F	M – F	SAT & SUN	SAT & SUN	SAT & SUN
	8 AM–6 PM	6 PM–12 AM	12 AM–8 AM	8 AM–6 PM	6 PM–12 AM	12 AM–8 AM
Commercial	90%	80%	5%	100%	70%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Institutional	100%	20%	5%	10%	10%	5%
Religious	10%	5%	5%	100%	50%	5%

F. Off-street parking standards.

1. All off-street parking spaces and aisles must meet AASHTO size and configuration standards.
2. Automobile parking must be located according to [Table 71-C through Table 71-H](#).
3. Off-street parking in NE and GN must be used for noncommercial passenger vehicles.
4. Off-street parking must be accessed by rear alleys or rear lanes where available.
5. Where rear alleys or rear lanes are not available, off-street parking may be accessed from the following locations:
 - a. From secondary facades driveways should be located near the rear lot line; and
 - b. Where secondary facades are not available, parking may be accessed from the primary facade.
6. Driveways.
 - a. Driveways providing access to off-street parking are limited to 10 feet in width for one-way access, and 20 feet in width for two-way access.
 - b. A hardscape apron is required where the driveway meets the public street, from the edge of pavement to the front lot line.
 - i. The apron must be constructed using concrete or asphalt.
 - ii. A standard curb cut is required unless the public works department approves a different method.
 - iii. The apron must be built to keep gravel, crushed stone, or other loose materials off the public street and sidewalk.
 - c. The portion of the driveway beyond the apron, located on private property, may use concrete, asphalt, gravel, crushed granite, or similar materials.

BUCHANAN UDC**ARTICLE 3 – ZONING**

Buchanan, Michigan

- d. Loose surface materials are allowed only when:
 - i. The surface is installed over a professionally compacted base that's appropriate for the material.
 - ii. The driveway includes an engineered edge, or another approved edge restraint, to keep the surface in place and prevent it from spreading.
 - iii. The materials and installation are consistent with those typically used in professional residential construction, including high-end homes.
 - e. The driveway must be maintained in good condition so that no loose material washes or moves into the public right-of-way.
 - f. If gravel or other loose material causes problems in the street or drainage system, the city may require the property owner to repair or replace the driveway.
 - g. All driveways and aprons must follow city engineering standards and are subject to inspection and approval by the zoning administrator or their designee.
7. Parking lots must be screened along front and side street lot lines by one or more of the following methods:
- a. Buildings. A minimum of 70% of parking lot width must be screened;
 - b. A masonry wall no less than 4 feet in height; or
 - c. A metal fence with a hedge or other landscape element no less than four feet in height.
- G. Bicycle parking standards.
- 1. Bicycle parking is required in the Downtown zone as specified in [Table 71-P](#) and as follows:
 - a. Enclosed spaces for multi-family residential must be located at ground level.

TABLE 71-P DOWNTOWN BICYCLE PARKING REQUIREMENTS

USES	MINIMUM SPACES	ENCLOSED SPACES	ON-STREET SPACES
<i>Residential</i>			
Over 4 dwellings per lot	.5 / unit	25% min.	25% max.
<i>Commercial</i>			
Food & beverage	.5 / 1,000 sq. ft.	n/a	100% max.
Other	.2 / 1,000 sq. ft.	n/a	100% max.
<i>Institutional</i>			
All assembly uses	.2 / 1,000 sq. ft.	n/a	100% max.
<i>Other</i>			
All other uses	No minimum requirements.		

H. Loading standards.

- 1. Loading facilities must be provided for commercial uses in NC, D, SC, and I districts according to the following requirements:

- a. Location of loading facilities must comply with the setbacks according to [Table 71-C through Table 71-H](#). No loading bay for vehicles over a two ton capacity may be closer than 50 feet to a NE or GN lot unless completely enclosed by a building.
 - b. Off-street loading and refuse collection must be located and screened so it is not visible from adjacent streets, or residential uses.
 - c. Loading bays must be a minimum of 10 feet wide by 25 feet long, exclusive of aisle and must have a vertical clearance of 14 feet.
 - d. Loading facilities may not satisfy the requirements for off-street parking.
 - e. Loading bays in the NC and D districts may be located off an adjacent alley.
2. Required loading area. On-site loading must be provided for all buildings greater than 50,000 square feet as follows:
 - a. Loading bays are required in the amounts specified below:
 - i. 50,000 sq. ft. - 160,000 sq. ft.: 1 bay
 - ii. 160,000 sq. ft. - 320,000 sq. ft.: 2 bays
 - iii. Over 320,000 sq. ft. 1 per 180,000 sq. ft.

Memorandum



Date: October 7, 2026

To: City of Buchanan Planning Commission

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Unified Development Code – establishment of Planned Unit Development (PUD) regulations**

Staff previously discussed the re-establishment of planned unit development regulations that were not included in the Unified Development Code that was adopted in December 2025. The PUD allows for flexibility and innovation in land use and design under certain conditions. Attached is the regulations from the 2003-2025 zoning ordinance and the first rough draft of language which includes:

1. Intent/purpose statement
2. Criteria for approval which provides 7 objectives with the applicant needing to meet two of the objectives.
3. Approval standards
4. Authority to Grant Waiver or Modify Regulations with standards
5. Minimum open space requirements
6. Building elevation drawings
7. Preliminary Site Plan drawings
8. Final Site Plan, engineering and developer agreement
9. PUD Approval process
10. Amendments to approved final site plan PUD
11. Expiration, extension and revocation

The language provided is in draft format. Placement in the UDC is needed and would likely be located in Section 71-36. Some zoning ordinance rely on PUD's as a zoning classification for the property where others rely on the underlying zoning and reference special approval.

Next steps.

Review and discuss the rough draft document and the regulations found in the previous zoning ordinance. Direct staff to make changes for review at a future meeting.

ARTICLE XV

PUD PLANNED UNIT DEVELOPMENT DISTRICT

Section 15.01 - Purpose of Planned Unit Development. The use, area, height, bulk and placements regulations of this Ordinance are primarily applicable to the usual situation of one (1) principal building on one (1) lot. These requirements would in certain developments have results that would less serve the public health, safety, and welfare than if a controlled degree of flexibility were allowed. A development may be of such size as to justify permitting certain specifically defined departures from the regulations of the zoning district. Permitting these uses can in certain cases increase convenience, be comparable with the overall character of the district, and not be injurious to the adjoining properties, subject to limitations of the zoning district in which the property is located as set forth in Articles V through XIII.

Section 15.02 - Intent. A Planned Unit Development is intended to permit the following:

1. Variety and flexibility of land development for residential, commercial and industrial purposes and auxiliary use that are necessary to meet the changes in technology and demand and which will be consistent with the best interests of the City as a whole and that will encourage a creative approach in the development of land;
2. Utilization of sites that are characterized by special features of geography, topography, size or shape for their best potential.

Section 15.03 - Applicability to All Land Division and Condominium Plats. Any plat submitted for recording under the terms of the State of Michigan Land Division Act, P.A. 87 of 1997, as amended (formally Subdivision Control Act) or the Condominium Act, P.A. 58 of 1978, as amended shall be submitted and processed as a Planned Unit Development, pursuant to the terms of this Article and other applicable sections of this Ordinance.

Section 15.04 - Procedures for Submission of PUD Plans. These procedures are intended to state the requirements at each stage of the review process. However, each applicant shall have the opportunity to submit an application for approval of the Planned Unit Development at either the Preliminary PUD Development Plan stage or the Final PUD Development Plan stage, if the requirements are fulfilled according to this Ordinance.

Section 15.05 - Pre-Application Conference. Before submitting an application for a Planned Unit Development, an applicant at his option may confer with the City Plan Commission to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys and other data.

Section 15.06 - Contents and Submission of a Preliminary PUD Development Plan. Proceedings are commenced by application for approval of a Planned Unit Development, to the City of Buchanan with payment of the fee established by this Ordinance (See Article XXVI, Section 26.04) and submission of a completed application with a Preliminary PUD Development Plan prepared in accord with the following specifications:

1. A Preliminary PUD Development Plan should include maps and/or diagrams showing enough of the area surrounding the proposed Planned Unit Development to demonstrate the relationship of the Planned Unit Development to adjoining uses. The maps and/or diagrams which are part of the Preliminary Planned Unit Development maybe in general schematic form containing the following information:

City of Buchanan, Michigan Comprehensive Zoning Amendment - 2003

- (A) The existing topographic character of the land with contours shown at intervals of not greater than five (5) foot intervals;
 - (B) Existing and proposed land uses and the approximate location of buildings and other accessory structures;
 - (C) The character, type, and number of dwelling units or other principal and accessory buildings proposed;
 - (D) The approximate location of major arterial and collector streets and provision for parking vehicles;
 - (E) The locations of all public uses, including schools, parks, playgrounds, common open spaces, etc.;
 - (F) the approximate location of existing utility systems;
 - (G) Such other information, maps and plans as the Plan Commission may request.
- 2. A complete "Application for Planned Unit Development" on a form provided by the City.
 - 3. A complete "Petition for Rezoning" form.

Section 15.07 - Approval of Preliminary PUD Development Plan. Procedures for the approval of a Preliminary PUD Development Plan are as follows:

- 1. **Public Hearing for Rezoning to PUD Zoning District.** Upon submission of a complete application for approval of a Preliminary PUD Development Plan, the Plan Commission shall, within a reasonable time period, schedule a public hearing on said application with private property and public notice provided as required for rezoning.
- 2. **Approval of Rezoning to PUD Zoning District.** Pursuant to the provision of this Ordinance concerning the rezoning of land, the Plan Commission shall conduct the required public hearing and submit to the City Commission a recommendation for the approval or denial of the rezoning of the property submitted by the applicant.
- 3. **Tentative Approval of Preliminary PUD Development Plan.** The Plan Commission shall, upon the completion of the public hearing and after rendering a decision concerning the rezoning of the property submitted by the applicant, consider a motion that the Preliminary PUD Development Plan:
 - A. be granted approval as submitted;
 - B. be granted tentative approval subject to specific conditions not included in the PUD Development Plan as submitted; or
 - C. be denied approval.
- 4. **Form of PUD Development Plan Approval or Denial Action.** The grant or denial of tentative approval shall be in the form of a written statement and shall include findings of fact and other factual findings which set forth the reasons for the approval or denial of the applicants request for approval of the PUD Development Plan.

City of Buchanan, Michigan Comprehensive Zoning Amendment - 2003

Section 15.08 - Status of Preliminary PUD Development Plan After Approval. Procedures for the notification of the applicant and status of the approval of a Preliminary PUD Development Plan are as follows:

1. **Notification of Applicant.** Within five days after the approval of the rezoning of the subject property and upon approval of the Preliminary PUD Development Plan by the Plan Commission, notice of approval of rezoning ordinance and approval of the Preliminary PUD Development Plan shall be mailed via first class postage to the applicant by the City Clerk or Zoning Administrator.
2. **Status of Preliminary PUD Development Plan.** Approval (or approval with conditions or denial) of a Preliminary PUD Development Plan shall not qualify as a Land Division Act plat or Condominium Act plat for the purposes of recording with the Berrien County Register of Deeds. A PUD Development Plan which has been given tentative approval as submitted or which has been given tentative approval subject to conditions that the applicant has agreed, shall not be modified or revoked or otherwise impaired by action of the City pending an application or applications for final approval without the express consent of the applicant; provided an application for final approval is filed, or in the case of staged development, provided applications are filed within the time or times specified in the action granting approval or tentative approval of the Preliminary PUD Development Plan by the Plan Commission.
3. **Abandonment of Preliminary PUD Development Plan by Applicant.** In the event that a Preliminary PUD Development Plan is given tentative approval and thereafter, but prior to final approval, the applicant shall choose to abandon said Preliminary PUD Development Plan or shall fail to submit an application or applications for final approval within the required time period, the approval or tentative approval shall be deemed revoked, and such action shall be noted in the record of the City Clerk. Upon abandonment, the Plan Commission may consider action recommending rezoning of the subject property from PUD Planned Unit Development to its prior zoning district classification.

Section 15.09 - Approval of Final PUD Development Plan. Procedures for the approval of a Final PUD Development Plan are as follows:

1. **Submission Deadline and Extension.** Within a reasonable time after the approval of the rezoning and Preliminary PUD Development Plan, but not more than six (6) months thereafter, the applicant shall file with the Plan Commission a Final PUD Development Plan containing in final detailed form the information required as herein after provided. At its discretion and for good cause, the Plan Commission may extend for six (6) months the period for filing the Final PUD Development Plan. Contents of the Final PUD Development Plan shall include a plat prepared in conformance with the specification required for recording a plat under the terms of the State of Michigan Land Division Act, P.A. 87 of 1997, as amended (formally Subdivision Control Act) or the Condominium Act, P.A. 58 of 1978, as amended, signed and sealed by a State of Michigan Registered Surveyor. Water and sewer system engineering drawings with accompanying State of Michigan Department of Public Health or State of Michigan Department of Environmental Quality system extension permits signed and sealed by a State of Michigan Licensed Professional Civil Engineer shall accompany the PUD Development Plan submission. Also to be submitted by the applicant for approval by the City Engineer are a storm water drainage system management plan and plans and specifications for all streets prepared in conformance with the City of Buchanan development standards, which from time-to-time are adopted by the City Commission prepared, signed and sealed by a State of Michigan Licensed Professional Civil Engineer. In addition, the Plan Commission may require such other maps and/or drawings as deemed necessary to render a decision concerning the approval of a Final PUD Development Plan.

City of Buchanan, Michigan Comprehensive Zoning Amendment - 2003

2. **Optional Public Hearing.** The Plan Commission, at its discretion, may give notice and provide an opportunity for the public to comment on the proposed Final PUD Development Plan.
3. **Approval or Denial of Final PUD Development Plan.** The Plan Commission shall review the proposed Final PUD Development Plan, and shall approve the Final PUD Development Plan if it is in substantial compliance with the Preliminary PUD Development Plan and contains in final detailed form the information herein set forth.
4. **Application of Conditions and Restrictions.** Prior to the approval of any Final PUD Development Plan, the Plan Commission may recommend the adoption of such covenants, conditions, and restrictions upon the establishment, location, construction, maintenance, and operation of the Planned Unit Development as the Plan Commission deems necessary for the purposes of the public interest and to secure compliance with the criteria specified in this Ordinance.
5. **Status of Final Approval of PUD Development Plan.** After approval has been given, the use of land and the construction, modification or alteration of any building or structures within the Planned Unit Development will be governed by the approved Final PUD Development Plan rather than by any other provision of this Ordinance.
6. **Minor Changes to Final PUD Development Plan.** Any minor extensions, alternations, or modification of existing buildings or structures may be authorized by the Plan Commission if they are consistent with the purposes and intent of the Final PUD Development Plan.
7. **Major Change to Final PUD Development Plan.** Any major change to a Final PUD Development Plan, as determined by the Plan Commission, shall be made by the Plan Commission after processing an amendment to the Final PUD Development Plan pursuant to the approval process for both the Preliminary and Final PUD Development Plan approval.
8. **Rescinding / Abandonment of Final PUD Development Plan Approval.** In any case where construction has not yet begun on an approved Planned Unit Development within one (1) year after the date of Final Approval of a PUD Development Plan, or after a one (1) year extension thereof by the Plan Commission upon showing of cause or upon written notification by the applicant that the proposed Planned Unit development will not be constructed, the Plan Commission may rescind the Final PUD Development Plan approval and take such other action to rezone the subject property back to its original zoning district classification.

Section 15.10 - Standards and Criteria For Planned Unit Developments. The PUD Development Plan of the Planned Unit Development shall be consistent with the following standards for use of land, the use of, type and mass, design and location of buildings, the density, common open space and public facilities servicing the site:

1. **Variety of Building Types and Layout Design.** The PUD Development Plan may increase the density of the underlying zoning district classification by no more than twenty-five (25) percent where a variety of housing or building types are provided including clustered housing, buildings sharing common walls, etc. are incorporated in a unique design approved by the Plan Commission.
2. **Building Lot Coverage.** The building coverage ratio may be increased by twenty-five (25) percent by the Planning Commission in combination with any approval granted in paragraph one (1) above.
3. **Height Restrictions.** The PUD Development Plan must conform to the height requirements of the zoning district in which the subject property is located.

City of Buchanan, Michigan Comprehensive Zoning Amendment - 2003

4. **Mixture of Uses Permitted.** A mixture of uses is permitted in any PUD Development Plan, amount and location subject to approval by the Plan Commission
5. **Perimeter Setback Requirement.** Where ever possible, the applicant shall provide perimeter setbacks to abutting properties at the same dimensions as required of the zoning district classification in which the property is located subject to approval of the Plan Commission which may require greater setback distances when in the opinion of the Plan Commission the proposed Planned Unit Development will have a detrimental effect on abutting land uses.
6. **Conveyance of Open Spaces and/or Common Elements.** Any area designated as open space or common elements (included limited common elements), shall be conveyed to an appropriate public body or private owners' association, as required by law.
7. **Off-Street Parking and Loading.** Off-street parking and loading shall be in conformance with the minimum specifications of Article XIX for the land uses proposed within the Planned Unit Development.
8. **Utilities.** The proposed PUD Development Plan shall provide for installation of public water, sanitary sewer and storm drainage meeting the standards of the City of Buchanan, as from time-to-time approved by the City Commission.
9. **Landscaping and Screening.** Landscaping and screening shall be in conformance with the minimum specifications of this ordinance as they pertain to the specific uses proposed within the Planned Unit Development. The Plan Commission may require additional landscaping and screening when in the opinion of the Plan Commission the proposed Planned Unit Development will have a detrimental effect on abutting land uses.
10. **Pedestrian Pathways and Sidewalks.** Pedestrian pathways and sidewalks shall be in conformance with the minimum specifications and development standards of the City, as from time-to-time approved by the City Commission, as they pertain to the specific uses proposed within the Planned Unit Development. The Plan Commission may require additional pathways and sidewalks when in the opinion of the Plan Commission the intensity of development requires additional pathways and sidewalks to safely move pedestrian traffic throughout the Planned Unit Development.
11. **Signs.** Signs in the Planned Unit Development District shall comply with the City Buchanan Sign Ordinance, Article 9B of the City of Buchanan Compiled Ordinances.

Planned Unit Development (PUD) Regulations

1. Intent or Purpose

The Planned Unit Development (PUD) process is intended to permit flexibility and innovation in land use and design while ensuring compatibility with surrounding properties, efficient public services, protection of natural and historic resources, useful open space, and consistency with the City's Master Plan and Unified Development Code.

2. Criteria for Approval

A PUD may be requested where an integrated development plan would provide a recognizable and substantial public benefit that conventional zoning is unlikely to achieve. The applicant shall demonstrate that the site is under unified ownership or control and that the proposal advances at least two of the following objectives:

- Preservation of significant natural, scenic, cultural, or historic resources.
- Creation of usable open space, public amenities, or coordinated recreation facilities.
- A compatible mix of residential and commercial uses that would not otherwise be allowed.
- Innovative housing types, attainable housing opportunities, or adaptive reuse.
- Efficient infrastructure, energy conservation, low-impact stormwater design, or improved mobility.
- Redevelopment of vacant, obsolete, contaminated, or underutilized property.
- A development pattern demonstrably superior to that reasonably achievable under conventional district standards.

3. Approval Standards

The planning commission shall recommend and the city commission may approve a PUD only upon finding, the request meets all of the following standards:

1. The application has met the criteria for approval as found in section ____
2. The PUD consistent with the Master Plan and the Unified Development Code.
3. The PUD provides identifiable public benefits proportionate to the flexibility requested.
4. Uses, density, building scale and architecture, setbacks, and design are compatible with the site and surrounding area, considering existing and reasonably anticipated development. ? Establish a minimum number of dwellings per acre??
5. Streets, access, emergency response, parking, nonmotorized circulation, utilities, and public services can safely and adequately serve the development.
6. Natural features, drainageways, flood-prone areas, steep slopes, woodlands, and historic resources are protected to a practicable extent.
7. Stormwater, grading, lighting, noise, signs, waste handling, landscaping, and screening will not create unreasonable adverse effects.
8. Open space has been provided per section ____ is functional, accessible to intended users, protected by a durable legal mechanism, and supported by an enforceable maintenance arrangement.
9. The project will not create an unreasonable burden on public facilities or the City's fiscal resources.

10. Requested waivers from otherwise applicable standards are specifically identified and are necessary to achieve a better overall design rather than merely greater density or reduced cost.
11. The plan establishes a coherent development pattern and can be completed and maintained as approved.

4. Authority to Grant Waiver or Modify Regulations

1. **Authority:** Subject to the standards and limitations hereinafter set forth, the city commission shall have the authority, in connection with the granting of any planned development approval pursuant to this section, to change, alter, vary, modify, or waive any provisions of the city code of Buchanan and the Buchanan Unified Development Code as they apply to an approved planned development.

2. **Standards:** The City Commission shall approve a waiver only upon finding that the applicant has shown all of the following:

- a. The waiver is specifically identified and its extent can be determined from the approved plans and written decision.
- b. The waiver advances one or more stated PUD purposes and is necessary or materially beneficial to the integrated design.
- c. The resulting development provides a public benefit or design improvement proportionate to the regulatory flexibility granted.
- d. The waiver will not create materially greater adverse effects on adjoining property, natural resources, public infrastructure, emergency services, traffic safety, or the public realm than development complying with the underlying standard.
- e. Reasonable alternatives that would require less deviation have been considered.
- f. Conditions, safeguards, phasing requirements, or performance guarantees will adequately mitigate identified impacts.
- g. The waiver is consistent with the Master Plan and the remaining approval standards of this ordinance.

5. Minimum Open Space Requirements

1 Minimum Amount

Each PUD shall permanently preserve open space in an amount equal to at least twenty percent of the gross PUD area. The City Commission may require a greater amount when necessary to protect significant natural features, provide an effective perimeter buffer, accommodate required recreation, or support a density or dimensional waiver. Properties located in the D Downtown District shall be exempt from providing open space.

2 Calculation of Open Space

The required amount shall be calculated from the gross land area within the PUD boundary before dedication of internal streets or rights-of-way. Open space may include preserved natural areas, woodlands, wetlands, floodplains, stream corridors, native landscapes,

community gardens, plazas or greens, trails, playgrounds, recreation areas, and stormwater facilities designed as accessible site amenities.

At least fifty percent of the required open space shall not consist solely of wetlands, floodplains, steep slopes, utility easements, or stormwater facilities.

3 Areas Not Credited

The following shall not be credited toward required open space: public or private streets and rights-of-way; driveways and parking areas; required building lots and yards assigned exclusively to an individual lot or unit; buildings other than qualifying community or recreation structures; loading, storage, service, and waste areas; detention basins with inaccessible sides or permanent fencing that prevents recreational or visual use; and narrow residual strips less than twenty feet wide unless they form part of an approved trail, greenway, buffer, habitat corridor, or streetscape system.

4 Design and Distribution

1. Open space shall be located and designed to preserve priority natural features, create connected greenways, provide convenient access, and offer meaningful recreational, civic, scenic, agricultural, or ecological value.
2. Required open space shall have safe pedestrian access from the development it serves. Open space intended for common use shall be accessible to residents, occupants, or the public identified in the approval, subject to reasonable rules.
3. Open space shall be arranged in usable areas rather than fragmented remnants. The City Commission may approve noncontiguous open space requested by the applicant when it serves the purposes of the PUD, is functionally connected or provides a distinct resource-preservation benefit, and is protected and maintained as required by this section.
4. Active recreation areas shall be suitably located for their intended use and separated from incompatible uses. Environmentally sensitive areas may be limited to passive recreation or conservation.

6. Building Elevation Drawings

Building elevation drawings shall be submitted for every proposed principal building and for any accessory structure visible from a public street, common open space, adjoining residential property, or other public area. Preliminary building elevations shall accompany the preliminary PUD plan and shall be sufficiently detailed to establish the proposed architectural character, massing, scale, and compatibility of the development.

Each building elevation submission shall include:

1. Scaled drawings of every exterior façade, labeled by direction or orientation, including façades facing internal streets, parking areas, open space, and adjacent property.
2. Proposed overall building height, rooflines, parapets, towers, projections, recesses, and principal horizontal and vertical dimensions.
3. General location and design of doors, windows, storefronts, balconies, porches, canopies, awnings, arcades, loading doors, and other major architectural features.
4. Exterior materials and proposed colors for exterior facades and roof of buildings.
5. Proposed placement of rooftop equipment, vents, antennas, solar equipment, and the methods used to screen mechanical and utility equipment from public and residential views.

6. Exterior lighting attached to the building, signs and sign bands, wall-mounted fixtures, and other façade elements that may affect architectural character.

7. Preliminary Site Plan Drawings

The preliminary site plan shall be prepared at a scale that permits clear review and shall show the entire PUD, including proposed phases. It shall include the following information:

1. boundaries and legal description.
2. existing and proposed lots, outlots, blocks, streets, alleys, easements, rights-of-way, utilities, drainage facilities, contours, flood-prone areas, wetlands and other significant natural features;
3. proposed land uses, density, dimensioned building envelopes, setbacks, open space, landscaping, access, parking, pedestrian and bicycle facilities;
4. Ground-mounted mechanical equipment, refuse and recycling enclosures, utility cabinets, service areas, and their architectural or landscape screening when visible in relation to a building elevation.
5. Existing and proposed grade lines where changes in grade affect the apparent height, access, or relationship of the building to adjoining property or streets.
6. preliminary grading, stormwater, water, sanitary sewer, and utility concepts; proposed dedications; and a schedule of requested waivers from otherwise applicable standards based on the underlying zoning district.

Preliminary approval provides assurances to the applicant that detailed final engineering plans and a final site plan drawings can be completed for final review and approval. The City may condition preliminary approval on revisions, agency approvals, dedications, development-agreement terms, phasing, or performance guarantees. Preliminary approval is valid for 24 months. An extension may be granted under Section ____.

8. Final Site Plan, Engineering and Developer Agreement

The final site plan shall be in substantial compliance with the approved preliminary site plan and include the information provided in section _____. Final engineering drawings and calculations prepared by a licensed engineer in the state of Michigan shall be submitted for review and approval. If determined necessary a Developer Agreement will be finalized.

Site plans that are not in substantial compliance with the approved preliminary site PUD will be referred back to the planning commission for public hearing.

Need language for substantial compliance

9. PUD Approval Process

1. Presubmittal meeting. Before filing, the applicant is encouraged to request a Pre-submittal meeting with city staff to review any preliminary drawings and answer questions regarding the process.

2. Administrative review. The Zoning Administrator shall review the application for completeness and circulate a complete preliminary PUD plan to relevant City departments.
3. Plan Commission hearing and recommendation. The Plan Commission shall conduct a public hearing and shall recommend approval, approval with conditions, or denial of the preliminary PUD to the City Commission within sixty days of the close of the public hearing unless the applicant is agreeable to a specific date in the future. The recommendation shall include findings addressing each applicable standard.
4. City Commission preliminary approval. The City Commission shall approve, approve with conditions, or deny the preliminary PUD.
5. Final site plan, detailed construction drawings and developer agreement approval. After preliminary approval by the City Commission, the applicant shall final detailed constructions drawings for review which include engineering design drawings along with necessary calculations for staff review. Staff will finalize developer agreement
6. Final city approval and recording. Once the final site plan, detailed engineering construction drawings and developer agreement is approved by city staff it will be forward to the city commission for approval. The applicant is responsible for the recording of city approved documents with the Berrien County Register of Deeds.

10. Amendments to Approved Final Site Plan PUD's

An amendment to an approved final PUD plan, development agreement, or waiver shall be classified and reviewed under this section. The applicant shall submit an amendment application, required fee and escrow, a written description of the proposed change, revised plans or plats, a comparison with the current approval, and information sufficient to evaluate impacts. No amendment is effective until approved in writing by the authorized body or official.

The Zoning Administrator after conferring with the city manager shall make an initial written determination whether a proposed change is minor or major. A change is minor only if it satisfies every criterion in Section __. A change that meets any criterion in Section 11.4 is major. When classification is uncertain, the change shall be treated as major. Classification does not authorize a change to a recorded plat contrary to the Michigan Land Division Act.

1 Minor Amendment Criteria

A proposed amendment may be classified as minor when it:

1. Does not add a use listed in the approved PUD or underlying zoning district.
2. Does not increase the total number of dwelling units, nonresidential floor area, building coverage, or impervious surface by more than five percent, calculated cumulatively from the original approval.
3. Does not increase an approved building's height by more than five percent or add a story.
4. Does not reduce required perimeter setbacks, buffers, landscaping, open space, or building separation by more than five percent.
5. Does not materially relocate or eliminate a street, driveway, emergency access, sidewalk, pathway, utility, drainage facility, or approved connection to adjoining property.
6. Does not relocate a building or activity closer to residential usedor zoned property in a manner likely to increase adverse effects.
7. Does not materially increase traffic, stormwater runoff, demand on utilities or public services, noise, lighting, loading activity, or other external impacts.

8. Does not reduce or eliminate a condition, public benefit, required improvement, dedication, performance guarantee, or approved waiver safeguard.
9. Remains consistent with the approved PUD's intent, phasing, development agreement, and findings.
10. The incorporation of fencing or signage not depicted on the site plan that complies with the regulations in the Unified Development Code.

2 Minor Amendment Process

1. **Completeness.** The Zoning Administrator shall determine whether the submission is complete and may require revised plans, agency comments, or technical information reasonably related to the proposed change.
2. **Administrative decision.** The Zoning Administrator after conferring with the city manager may approve, approve with conditions, or deny a minor amendment based on the original approval standards and the criteria in Section ____2. No public hearing or notice is required.
3. **Referral.** The Zoning Administrator may refer any amendment to the Plan Commission when the change presents a novel issue, may affect surrounding property, involves interpretation of an approval condition, or may be more appropriately classified as major.
4. **Notice of decision.** The written decision shall identify the approved change, findings, conditions, and revised plan sheets. A copy shall be provided to the applicant and placed in the official PUD record and numerically tracked for the PUD.

3 Major Amendment Criteria

1. Amendments to a PUD that are not considered a minor amendment require the request to be processed as a new PUD.

11. Expiration, Extension, and Revocation

Unless a different period is stated in the approval, a preliminary PUD site plan approval expires if a complete final plat for at least one approved phase is not filed within 24 months. Final PUD approval expires if the final plat is not recorded within 6 months. After recording, the applicant shall obtain required permits and begin substantial construction within 12 months of final approval by the city commission unless the approval establishes another schedule.

The City Commission may grant one extension of up to 12 months upon written request filed before expiration and a finding of good cause, continued compliance, and no material change in surrounding conditions. After notice and an opportunity to be heard, the City Commission may revoke or modify an unrecorded approval for material misrepresentation, violation of approval conditions, failure to maintain required improvements, or abandonment. Any action affecting a recorded plat shall comply with applicable law.