

## Approval of a PUD Development Proposal

**12.35.2** Within twenty-one (21) days after the public hearing, the Planning Board shall make a determination concerning the Development Proposal. If the Planning Board approves the Development Proposal or conditionally approves the Development Proposal with recommendations for modifications, then the developer must submit a Final Development Plan as specified in Section 12.36. If the Planning Board disapproves the Development Proposal then the application for a Special Permit to construct a PUD shall be denied. If the Planning Board makes no decision within the specified time limit, then the Development Proposal shall be considered approved and the developer shall prepare a Final Development Plan.

**12.35.3** Approval of the Development Proposal shall be granted only upon determination by the Planning Board that the Development Proposal:

- (1) conforms with the General Development Controls set forth in Section 12.50, and the development controls set forth for the specific PUD district in which the project is located;
- (2) conforms with adopted policy plans or development guidelines for the portion of the city in which the PUD district is located;
- (3) provides benefits to the city which outweigh its adverse effects; in making this determination the Planning Board shall consider the following:
  - (a) quality of site design, including integration of a variety of land uses, building types, and densities; preservation of natural features; compatibility with adjacent land uses; provision and type of open space; provision of other amenities designed to benefit the general public;
  - (b) traffic flow and safety;
  - (c) adequacy of utilities and other public works;
  - (d) impact on existing public facilities within the city; and
  - (e) potential fiscal impact.