

Article

1

Ordinance Foundation

*City of Richmond
Unified Development
Ordinance*

Basic Provisions

1.01 Title

This ordinance shall be formally known as the “*City of Richmond Unified Development Ordinance*,” and may be cited and referred to as “*Chapter 154 Unified Development Ordinance*,” “*Zoning Ordinance*,” “*Subdivision Control Ordinance*,” or “*Unified Development Ordinance*.”

1.02 Unified Development Ordinance

The City of Richmond's Zoning Ordinance and Subdivision Control Ordinance have been combined into one ordinance for the purpose of maintaining consistency, shortening the overall length of the document, and to improve user-friendliness for the end users. Article 1, 7, 8, 9, 10, and 11 are shared by both the Zoning Ordinance and Subdivision Control Ordinance. Articles 2, 3, 4, and 5 are exclusively Zoning Ordinance components. Article 6 is exclusively a Subdivision Control Ordinance component.

1.03 Defined Words

Words used in a special sense in this Unified Development Ordinance are defined in *Article 11: Definitions*.

1.04 Authority

This Unified Development Ordinance is adopted by the City pursuant to its authority under the laws of the State of Indiana, *IC 36-7-4 et seq.*

1.05 Purpose

This Unified Development Ordinance is intended to guide the growth and development of the City in accordance with the *City of Richmond Comprehensive Plan* for the following purposes:

- A. **Basic Rights:** To secure adequate light, air, convenience of access and safety from fire, flood and other dangers, which may include providing adequate open spaces for light, air, and outdoor uses.
- B. **General Welfare:** To promote the public health, safety, morals, comfort, convenience, and general welfare.
- C. **Development and Growth:** To promote the orderly, responsible, and beneficial development and growth of the areas within the planning jurisdiction in accordance with the City of Richmond's land use policy.
- D. **Character:** To protect the character and stability of agricultural, residential, institutional, commercial, industrial, and natural areas.
- E. **Circulation:** To minimize or avoid congestion on public streets and to ensure safe, convenient, and efficient traffic circulation.
- F. **Environmental Integrity:** To preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the planning jurisdiction.
- G. **Compatibility:** To bring about compatibility between different land uses and to protect the scale and character of existing development from the encroachment of incompatible uses.
- H. **Intensity:** To regulate and restrict the use of buildings, structures, and land for business, industry, residence and other uses.
- I. **Public Service:** To define the powers and duties of administrative officers and bodies, and to establish procedures for the implementation and enforcement of this Unified Development Ordinance.
- J. **Compliance:** To require ongoing compliance with the regulations and punitive recourse for noncompliance regarding the provisions of this Unified Development Ordinance.

1.06 Compliance

No structure shall be located, erected, constructed, reconstructed, moved, altered, converted, enlarged, or used, nor shall any piece of land be used, nor shall any existing use be expanded except when in full compliance with all provisions of this Unified Development Ordinance and the permits and certificates required by this Unified Development Ordinance have lawfully been issued. For information regarding nonconforming structures, see *Article 8: Nonconformances*.

1.07 Severability

If any provision or the application of any provision of this Unified Development Ordinance is held unconstitutional or invalid by the courts, the remainder of the Unified Development Ordinance or the application of such provision to other circumstances shall not be affected.

Basic Provisions

1.08 Interpretation

- A. **Minimum Requirements:** The provisions of this Unified Development Ordinance are the minimum requirements necessary for the protection of the health, safety, comfort, morals, convenience, and general welfare of the people at large.
- B. **Conflict or Inconsistency:**
1. **Internal:** Unless otherwise specifically stated within this Unified Development Ordinance, if two or more provisions of this ordinance are in conflict or are inconsistent with one another, then the more restrictive provision shall apply.
 2. **Federal, State, and Local:**
 - a. Whenever a provision of the Unified Development Ordinance imposes a greater restriction or a higher standard than is required by any State or federal code or regulation or other City ordinance or regulation, the provision of the Unified Development Ordinance shall apply.
 - b. Whenever a provision of any State or federal code or regulation or other City ordinance or regulation imposes a greater restriction or a higher standard than is required by the Unified Development Ordinance, the provision of the State or federal code or regulation or other City ordinance or regulation shall apply.
 3. **Other:** Whenever a private covenant, contract, commitment, agreement or other similar private land use regulation imposes a greater restriction or a higher standard than is required by a provision of the Unified Development Ordinance, the City is not obligated to enforce the provisions of such private covenants, contracts, commitments, agreements or other similar regulations.
- C. **Text:** If differences are found between the meaning or implication of any drawing, table, figure, title, or section heading, the text of this Unified Development Ordinance shall apply.
- D. **Time Frames:** Unless specifically noted otherwise, time frames stated within this Unified Development Ordinance shall be calculated to include weekdays, weekends, and holidays. If a time frame ends on a Saturday, Sunday, or holiday that the City offices are closed, the time frame will be extended to the end of the next business day.
- E. **Delegation of Authority:** If a provision in this Unified Development Ordinance requires the Zoning Administrator or other City officer to perform an act or duty, that provision shall also include any person working under the authority and supervision of the Zoning Administrator unless specified otherwise.
- F. **Mandatory and Permissive Terms:** The words “shall” or “must” are always mandatory. The words “may” or “should” are always permissive.
- G. **Words Used:** If words used in this Unified Development Ordinance are not defined in *Article 11: Definitions*, they shall be construed to be the common usage of the language. Any legal or technical words not defined in this Unified Development Ordinance shall be construed to be as defined by appropriate lexicon or current and common dictionary.
- H. **Tense:** If words are used in a specific tense (past, future, or present) it shall be construed to include all tenses, unless the context clearly indicates a single tense.
- I. **Singular/Plural Form:** If words are used in singular form, the plural form shall apply and vice versa, unless the context clearly indicates the contrary.
- J. **Gender:** If a feminine term is used, the masculine shall also apply and vice versa.
- K. **Conjunctions:** The word “and” shall be construed to include all connected items in a series, conditions and provisions. The word “or” shall be construed to include one or more of the items in a series, conditions and provisions, unless the context clearly suggests the contrary.
- L. **Rounding:** If a formula is used within this Unified Development Ordinance and results in a non-whole number of an indivisible object or feature, the non-whole number shall be rounded to the next highest whole number.

Basic Provisions

1.09 Ordinance Jurisdictional Area

This Unified Development Ordinance applies to all land within the corporate limits of Richmond, Indiana.

1.10 Repealer

The following Richmond ordinances are hereby repealed and are replaced by the *City of Richmond Unified Development Ordinance* and Official Zoning Map:

- A. Zoning Ordinance: Chapter 154: Zoning Code as amended, and its associated Zoning Map.
- B. Subdivision Control: Chapter 153: Subdivision Control as amended.

1.11 Transition Rules

- A. Plan Commission: Any application (e.g. Development Plan Review, or Primary Plat) filed with the Plan Commission or its designees that is full and complete prior to the effective date of this Unified Development Ordinance shall be regulated by the terms and conditions of the Zoning Ordinance and/or Subdivision Control Ordinance that were in place at the time of filing. However, all administrative procedures and fees shall follow those established in this Unified Development Ordinance.
- B. Rezoning: Any application for a Zone Map Amendment (Rezoning) filed with the Plan Commission or its designees, that is full and complete prior to the effective date of this Unified Development Ordinance shall continue through the process to completion pursuant to the terms and conditions of the Zoning Ordinance that were in place at the time of filing. However, if there is a specific use for which the rezone was proposed, and that use would no longer be permitted in the proposed zoning district, or if the proposed zoning district no longer exists under the Unified Development Ordinance, the Zoning Administrator shall amend the application such that the request for rezoning would accomplish the same end goal for the applicant.
- C. Board of Zoning Appeals: Any application (e.g. Development Standards Variance, or Administrative Appeal) filed with the Board of Zoning Appeals that is full and complete prior to the effective date of this Unified Development Ordinance shall continue the process pursuant to the terms and conditions of the Zoning Ordinance that were in place at the time of filing, provided that:
 1. *Required*: The application is still required by the terms of this Unified Development Ordinance; or
 2. *Additional Approvals*: If the proposed use or development requires additional approvals from the Board of Zoning Appeals pursuant to the terms of this Unified Development Ordinance that were not required under the previous ordinances, the application will be amended to include only those additional approvals that are now required and within the jurisdiction of the Board of Zoning Appeals.
- D. Planned Development:
 1. *Detailed Development Plan*: A Detailed Development Plan for a Planned Development District filed with the Plan Commission or its designees that is full and complete prior to the adoption of an amendment to the Planned Development District Ordinance and/or Concept Plan shall continue the process pursuant to the terms and conditions of the Planned Development District Ordinance and/or Concept Plan in place prior to the amendment.
 2. *Final Development Plan*: A Final Development Plan for a Planned Development District filed with the Plan Commission or its designees that is full and complete prior to the adoption of an amendment to the Planned Development District Ordinance and/or Concept Plan shall continue the process pursuant to the terms and conditions of the Planned Development District Ordinance and/or Concept Plan in place prior to the amendment. If the Final Development Plan is compliant with a Detailed Development Plan that was approved prior to the adoption of such amendment to the Planned Development District Ordinance and/or Concept Plan, then the Final Development Plan may be considered for approval utilizing the same standards that applied to the Detailed Development Plan.

Basic Provisions

- E. **Building Sites:** All new building sites shall meet the requirements of the Unified Development Ordinance unless:
1. *Building Permit:* A complete Building Permit application was filed and is still valid; or
 2. *Improvement Location Permit:* A complete Improvement Location Permit application was filed and is still valid; or
 3. *Buildable Lot:* A parcel was approved as a buildable lot by the Plan Commission (valid Primary or Secondary Plat) or the Board of Zoning Appeals (valid Development Standards Variance) prior to the effective date of this Unified Development Ordinance; or
 4. *Primary Plat:* A complete and valid Primary Plat application has been filed with the Planning Department prior to the effective date of this Unified Development Ordinance.
- F. **Recorded Commitments:** Any recorded commitments for a lot as a part of rezoning, established prior to the Unified Development Ordinance's effective date, shall remain in effect and in force regardless of allowances provided in the Unified Development Ordinance. Recorded commitments for a lot as part of a rezoning may petition for those commitments to be removed or modified through the Zoning Map Amendment (i.e. Rezoning) process.

1.12 Administrative Officer

The Zoning Administrator shall have the primary responsibility for administration of the Unified Development Ordinance within the City's planning jurisdiction.

1.13 Enforcement Official

The Enforcement Officer shall have the primary responsibility for enforcement of the Unified Development Ordinance within the City's planning jurisdiction.

1.14 Saving Provision

This Unified Development Ordinance shall not be construed as eliminating or reducing any action now pending under, or by virtue of, an existing law or previous Zoning Ordinance, Subdivision Control Ordinance, or related ordinance. This Unified Development Ordinance shall not be construed as discontinuing, reducing, modifying, or altering any penalty accruing or about to accrue.

1.15 Effect of Annexation or Vacation on Zoning

The Plan Commission shall be guided by the principles and directives of the *City of Richmond Comprehensive Plan* and this Unified Development Ordinance in making recommendations to the Common Council regarding zoning district classifications for newly annexed areas.

1.16 Statutory Changes

Whenever Indiana Code cited in this Unified Development Ordinance has been amended or superseded, this Unified Development Ordinance shall be deemed amended in reference to the new or revised code.

1.17 References

Whenever any agency, department, position, document, map, or publication referenced in the Unified Development Ordinance changes, the new or substitute agency, department, position, document, map, or publication shall be deemed incorporated into the Unified Development Ordinance.

1.18 Establishment of Standard Zoning Districts

Each of the standard zoning districts in this Unified Development Ordinance stand alone and is not a part of a hierarchy or pyramidal system of zoning. Only those uses and development standards which are expressly permitted and noted for each zoning district apply to that zoning district.

For the purpose of the Unified Development Ordinance, the City of Richmond has established the following zoning districts:

Zoning District Code	Zoning District Name	Zoning District Purpose
PR	Parks and Recreation	This district is established for parks, recreational areas, open space, and trails.
AG	Agricultural	This district is established for agricultural areas and buildings associated with agricultural production.
IA	Intense Agricultural	This district is established for medium to high intensity agricultural operations or operations likely to have a significant adverse impact on surrounding non-agricultural uses.
R1	Low Density Single-family Residential	This district is established for single-family detached, medium to large sized homes on large sized lots.
R2	Medium Density Single-family Residential	This district is established for single-family detached, medium sized homes on medium sized lots.
R3	High Density Single-family Residential	This district is established for single-family detached, small to medium sized homes on small sized lots.
UR	Urban Residential	This district is established for a mix of residential uses on small lots.
M1	Multiple-family Residential	This district is established for two to four-unit buildings on single lot.
M2	Multiple-family Residential	This district is established for apartment complexes and other large scale multiple-family residential development.
MP	Manufactured Home Park	This district is established for developments (mobile or manufactured home parks) which typically lease dwelling sites for single-wide and double-wide manufactured homes.
UV	University	This district is established for various uses related to the higher educational needs of a university or college.
IS	Institutional	This district is established for institutional and municipal owned lands for public purpose and use.
NC	Neighborhood Commercial	This district is established for small-scale, low intensity businesses offering retail goods and services for the convenience of nearby neighborhoods.
LC	Limited Commercial	This district is established for a variety of moderate-scale, moderate-intensity retail goods, service, entertainment, and dining establishments.
GC	General Commercial	This district is established for a wide variety of retail, service, entertainment, and dining establishments.
OC	Outdoor Commercial	This district is established for businesses with significant outdoor display areas for merchandise.
CB	Central Business	This district is established for a mix of retail, commercial, entertainment, governmental, and professional uses with upper floor office and residential uses that complement a urban commercial setting. This district is intended primarily for the existing central business area.
HC	Highway Commercial	This district is established for commercial uses that are closely related to the special needs of the traveling public, interstate commerce, trucking and, in general, vehicular traffic along interstates and major state highways.
EP	Ed-Med-Tech Park	This district is established for higher education, medical offices, and technology business uses in a business park setting.
IC	Industrial Commercial	This district is established for light to moderate intensity industrial uses, industrial uses with showroom sales, distribution facilities with retail sales, and outdoor commercial sales and maintenance of large vehicles and construction equipment.
I1	Low to Moderate Intensity Industrial	This district is established for low to moderate intensity industrial uses and light manufacturing facilities.
I2	High Intensity Industrial	This district is established for high intensity industrial uses and heavy manufacturing facilities.
HI	High Impact	This district is established for uses that may have a high impact to the community.

Zoning Districts

1.19 Establishment of Overlay Districts

The overlay districts as noted below have been established to add additional and unique development standards which will help the City accomplish its goals. For the purpose of this Unified Development Ordinance, the following overlay districts have been established for the purpose as stated:

Zoning District Code	Zoning District Name	Zoning District Purpose
ACO	Airport Compatibility Overlay	This district is established to disallow land uses which are in conflict with or are adversely affected by normal airport operations, to help mitigate wildlife incursions, and to promote compatible uses.
APO	Aquifer Protection Overlay	This district is established to guide development and existing uses in those areas where an aquifer has been identified as deserving of detailed standards because of the existence of a wellfield providing potable water to the local water utility.
NCO	North Corridor Overlay	This district is established to promote the City's goals for the north U.S. 27 corridor and gateway by promoting safe pedestrian and vehicular circulation, architectural enhancements, high quality site design, and a sense of place.
TCO	Transitional Corridor Overlay	This district is established to permit logical and appropriate transition from residential or low intensity commercial uses to higher intensity mixed-uses.
NTO	Neighborhood Transition Overlay	This district is established to promote the City's goals for specific neighborhoods, including the recognition of historic character, within the City to evolve to appropriate mixed-uses compatible with adjacent and nearby existing homes.
MUO	Mixed-Use Overlay	This district is established to promote the City's goals for specific areas zoned General Commercial with existing development plans or zoning approvals in place prior to the adoption of the Unified Development Ordinance that would otherwise not be permitted in the Unified Development Ordinance.

1.20 Establishment of Planned Development Districts

As provided for in the Unified Development Ordinance, only the following standard zoning districts may be rezoned to a Planned Development District: PR, AG, IA, R1, R2, R3, UR, M1, M2, UV, IS, NC, LC, GC, OC, CB, HC, EP, IC, I1, I2, and HI.

1.21 Zoning District Land Uses

The two-page layout for each standard zoning district in *Article 2: Zoning Districts* identifies land uses allowed in that district. Such land uses are of two kinds: permitted uses and special exception uses. the City of Richmond's permitted and special exception uses for each district are noted in the "Permitted Use" and "Special Exception Use" columns on each two-page layout.

1.22 Unlisted Land Uses

Any land use not listed in either the permitted use or special exception use column of a particular zoning district, shall be prohibited in that particular zoning district.

1.23 Questionable Land Uses

Any land use not listed in either the permitted use or special exception use column of a particular zoning district, but that is similar or related to a use that is a permitted use or a special exception use in that zoning district may be deemed permitted through a Questionable Land Use Interpretation by the Zoning Administrator.

Official Zoning Map

1.24 Official Zoning Map

- A. **Description:** The map labeled “Official Zoning Map” maintained by the Plan Commission is hereby included as part of the Unified Development Ordinance and is to function as the means to apply a zoning district to each lot within the City's jurisdiction. The zoning map shall be formally known as the “Official Zoning Map,” and it may be cited and referred to as the “Richmond Zoning Map” or the “Zoning Map.”
- B. **Location:** The Official Zoning Map will be located in the Planning Department and maintained by the Plan Commission.
- C. **Zoning District Boundaries:**
1. **Standard Zoning Districts:** The standard zoning district boundaries shall be shown on the Official Zoning Map. The two-digit abbreviations for the standard zoning districts appearing in the Unified Development Ordinance or a specific color noted on the map legend shall be used to identify the zoning districts on the map.
 2. **Overlay Districts:** The overlay district boundaries shown on the Official Zoning Map shall be interpreted as follows:
 - a. **Labeling:** An overlay district shall be noted on the Official Zoning Map with a hatch or textured pattern and be noted as such on the map legend.
 - b. **Fully Covered:** A lot that is fully covered (bounded) by an overlay district shall be interpreted to be subject to the overlay district standards found in *Article 3: Overlay Districts*.
 - c. **Partially Covered:** A lot that is partially covered (i.e. transected) by an overlay district shall be interpreted to be subject to the overlay district standards to the extent the lot area is covered by the overlay district.
 3. **Standards:** Zoning district boundaries on the Official Zoning Map shall be interpreted as follows:
 - a. **Streets:** Zoning district boundaries shown within or parallel to the lines of streets, easements, and transportation rights-of-way shall be deemed to follow the centerline of the affected street, easement, or right-of-way.
 - b. **Section Lines:** Zoning district boundaries indicated as following or being parallel to section or fractional sectional lines, platted lot lines, or City's corporation lines shall be construed as following or paralleling such lines.
 - c. **Water:** Zoning district boundaries indicated as approximately following the centerline of streams, rivers, or other moving bodies of water shall be construed to follow such centerlines.
 - d. **Vacated:** Whenever any street, alley, public way, railroad right-of-way, waterway, or other similar area is vacated by proper authority, the zoning districts adjoining each side of vacated areas shall be extended automatically to the center of the vacated area. All areas included in the vacation shall thereafter be subject to all regulations of the extended zoning districts. The following exception applies:
 - i. In the event of a partial vacation, the adjoining zoning district, or zoning district nearest the portion vacated, shall be extended automatically to include all of the vacated area.
 4. **Disputes:** Any disputes as to the exact zoning district boundaries shall be determined by the Zoning Administrator. The Zoning Administrator may refuse to make a determination when he/she cannot definitely determine the location of a zoning district boundary. The Plan Commission may then interpret the location of the zoning district boundary with reference to the scale of the Official Zoning Map and the purposes set forth in all relevant provisions of the Unified Development Ordinance.
- D. **Regular Revisions:** The Official Zoning Map shall be formally revised by the Plan Commission as changes are made (e.g. rezonings, planned developments, or annexations) or as the Zoning Administrator determines necessary. During the time it takes for each revision to be made electronically, hand drawn lines and text on a printout of the previous Official Zoning Map will be appropriate to note zoning district changes. Revisions may be made at any time to correct drafting errors, clerical errors, or omissions on the map.

Official Zoning Map

- E. Copies: Print copies of the Official Zoning Map may be distributed. Each copy of the Official Zoning Map shall be accurate only to the date on which it was last modified. The date of the latest revision shall be printed on copies of the Official Zoning Map.
- F. Damage, Destruction or Loss: In the event the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret, the Plan Commission may prepare a new map which shall depict the Official Zoning Map as best as possible, and shall supersede the prior map upon approval by the Common Council. The new map shall not have the effect of amending the Official Zoning Map.

Powers and Duties

1.25 Common Council Summary of Powers and Duties

The powers and duties of the Common Council are described below. Duties should be interpreted as activities that are obligations. Powers should be interpreted as activities that are optional and may be initiated.

A. Common Council Duties:

1. *Documents:* Adopt, reject or amend the *City of Richmond Comprehensive Plan*, strategic plans or Unified Development Ordinance that have been certified and submitted by the Plan Commission.
2. *Amendments:* Adopt, reject, or amend proposals to amend or partially repeal the text of the *City of Richmond Comprehensive Plan*, strategic plans, or Unified Development Ordinance that has been certified and submitted by the Plan Commission.
3. *Zoning Map:* Adopt, reject, or amend proposals to amend the Official Zoning Map certified and submitted by the Plan Commission.
4. *Fee Schedule:* Adopt, reject, or amend a fee schedule.
5. *Enforcement:* Enforce regulations and procedures of the *City of Richmond Comprehensive Plan* and *City of Richmond Unified Development Ordinance* to the extent of the local resolutions, ordinances, and State of Indiana Law.
6. *Other:* Other duties as permitted by Indiana Code.

B. Common Council Powers:

1. *Document Amendment Initiation:* Initiate amendments to the *City of Richmond Comprehensive Plan*, strategic plans, or Unified Development Ordinance by making the proposal to the Plan Commission.
2. *Zoning Map Amendment Initiation:* Initiate amendments to the Official Zoning Map by making the proposal to the Plan Commission.
3. *Other:* Other powers as permitted by Indiana Code.

1.26 Plan Commission Summary of Powers and Duties

The powers and duties of the Plan Commission are described below. Duties should be interpreted as activities that are obligations. Powers should be interpreted as activities that are optional and may be initiated.

A. Plan Commission Duties:

1. *Documents:* Adopt and maintain the Common Council approved *City of Richmond Comprehensive Plan* and *City of Richmond Unified Development Ordinance* as authorized under Indiana State Law.
2. *Rules of Procedure:* Adopt and maintain rules and procedures for holding meetings, holding public hearings, and administrating and enforcing the *City of Richmond Comprehensive Plan* and *City of Richmond Unified Development Ordinance*.
3. *Records:* Maintain complete records of all meetings, hearings, correspondences, and affairs of the Plan Commission.
4. *Materials:* Publish and make available to the public all plans, ordinances, and other related material that are the responsibility of the Plan Commission.
5. *Process and Seal:* Adopt and maintain a permitting process and seal used to certify official or approved documents.
6. *Recommendations for Documents:* Certify and submit recommendations to the Common Council including new versions of and revisions to the *City of Richmond Comprehensive Plan*, *City of Richmond Unified Development Ordinance*, and Official Zoning Map.
7. *Recommendations for Planned Developments:* Certify and submit recommendations to the Common Council for adopting a Planned Development District.
8. *Fiscal Records:* Maintain monetary and fiscal records of the Plan Commission.
9. *Budget:* Prepare and submit an annual budget to the Common Council.
10. *Plats:* Approve or deny plats or replats of subdivisions.
11. *Waivers:* Approve or deny request for waivers to the subdivision requirements of the Unified Development Ordinance.
12. *Development Plans:* Approve or deny development plans and amendments to development plans.
13. *Names:* Approve or deny proposed subdivision names, street names and addresses in new developments.

Powers and Duties

14. *Enforcement*: Enforce regulations and procedures of the *City of Richmond Comprehensive Plan* and *City of Richmond Unified Development Ordinance* to the extent of the local resolutions, ordinances and State of Indiana Law.
15. *Other*: Other duties as permitted by Indiana Code.

B. Plan Commission Powers:

1. *Staff*: Hire, remove, and determine job descriptions for support staff with the Planning Department.
2. *Committees*: Establish advisory committees as necessary.
3. *Funding*: Seek funding assistance through grant programs as necessary.
4. *Distribution*: Distribute copies or summaries of the *City of Richmond Comprehensive Plan* or *City of Richmond Unified Development Ordinance* to the general public and development community.
5. *Compensation*: Determine the compensation for support staff and members as provided within the budget submission to Common Council.
6. *Other*: Other powers as permitted by Indiana Code.

1.27 Board of Zoning Appeals Summary of Duties

The duties of the Board of Zoning Appeals are described below. Duties should be interpreted as activities that are obligations.

A. Board of Zoning Appeals Duties:

1. *Appeals*: Hear and determine appeals from, and review any order, requirement, decision or determination made by an administrative official or commission (except the Plan Commission) charged with the enforcement of the Unified Development Ordinance.
2. *Exceptions*: Authorize exceptions to the zoning district and overlay district regulations only in the classes of uses or in particular situations as specified in this Unified Development Ordinance.
3. *Variances*: Authorize, on appeal in specific cases, variances from the terms of the Unified Development Ordinance.
4. *Interpretations*: Interpret the Official Zoning Map.
5. *Other*: Other duties as permitted by Indiana Code.

1.28 Zoning Administrator Summary of Duties

The duties delegated by the Plan Commission to the Zoning Administrator are described below. Duties should be interpreted as activities that are obligations.

A. Zoning Administrator Duties:

1. *Plan Commission Files*: Maintain complete records of all meetings, hearings, correspondences, budgets, rules of procedure, memberships, term expirations and general affairs of the Plan Commission.
2. *Plan Commission Meetings*: Serve as staff for the Plan Commission and any of its committees by setting agendas, conducting research, distributing meeting information and serving as Plan Commission Secretary.
3. *Publish*: Publish and make available to the public all plans, ordinances and other related material that are the responsibility of the Plan Commission.
4. *Public Interaction*: Be available as a first point of contact for planning and zoning questions from the public.
5. *Administrative Decisions*: Make administrative decisions based on the standards and procedures in the Unified Development Ordinance.
6. *Interpretations*: Interpret the standards in the Unified Development Ordinance.
7. *Applications*: Process applications submitted to the Planning Department.
8. *Review*: Review permit applications and issue or deny permits submitted to the Planning Department.
9. *Inspections and Enforcement*: Complete field inspections of improvements, structures and uses to verify compliance with the Unified Development Ordinance.
10. *Recommendations*: Prepare and present Plan Commission recommendations to other commissions and boards.
11. *Other*: Other duties that may be delegated by the Plan Commission from time to time.

Certification and Adoption

1.29 Plan Commission Certification

The Unified Development Ordinance was certified with a favorable recommendation for adoption then forwarded to the legislative body. Amendments were made to the certified draft by the Common Council. The amendments to the Unified Development Ordinance were then certified on the 22nd of July, 2010 by the City of Richmond Plan Commission. The certification was made by the following Plan Commission vote:

Signatures:

The Advisory Plan Commission of Richmond, Indiana.

AYE

NAY

_____	Bruce Wissel, President	_____
_____	Joe Price, Vice President	_____
_____	Kenyatta Cox, Member	_____
_____	Jennifer Eastman, Member	_____
_____	Ray Ontko, Member	_____
_____	Jerry Middleton, Member	_____
_____	Greg Stiens Member	_____
_____	Gary Turner Member	_____
_____	Jason Whitney Member	_____
_____	Gary Wiggans Member	_____
_____	Benny Young, Member	_____

Attest:

Tony Foster, Plan Commission Secretary

Date

Form and content approved by:
Walter S. Chidester, City Attorney

Certification and Adoption

1.30 Unified Development Ordinance Adoption/Effective Date

The Unified Development Ordinance was adopted by the Common Council of Richmond, Indiana on the 6th of July, 2010. The Unified Development Ordinance shall become effective 30 days following the City of Richmond Plan Commission's certification of amendments made by the Common Council.

Signatures:

The Common Council of Richmond, Indiana

AYE

NAY

_____	J. Clayton Miller, President	_____
_____	Diana Pappin, Vice President	_____
_____	Kelley Cruse-Nicholson, Member	_____
_____	Jack Elstro, Member	_____
_____	Bob Goodwin, Member	_____
_____	Larry Parker, Member	_____
_____	Phil Quinn Member	_____
_____	Bing Welch Member	_____
_____	Bruce Wissel Member	_____
_____	Benny Young, Member	_____

Attest:

Karen Chasteen, City Clerk, Richmond, Indiana

Date

Form and content approved by:
Walter S. Chidester, City Attorney

