

# Introduction to Processes

## 9.01 Improvement Location Permit Processes Applicable to a Parcel

This process section applies to the following zoning districts:



- A. Permanent Construction, Installation, Addition, Alteration, or Relocation of a Structure: A project that involves constructing, installing, adding onto, altering, or relocating a building or structure for a permanent duration shall have the project reviewed for compliance with the Unified Development Ordinance. Projects determined to be in full compliance with the applicable regulations shall be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.05: Improvement Location Permit* for details about this process.
- B. Permanent Alteration to the Land: A project that involves permanently altering the topography, drainage, floodplain, or significant environmental features shall have the project reviewed for compliance with the Unified Development Ordinance. Projects determined to be in full compliance with the applicable regulations will be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.05: Improvement Location Permit* for details about this process.
- C. Temporary Use of Land or Structure: A project that involves establishing a temporary use or installing a temporary structure shall have the project reviewed for compliance with the Unified Development Ordinance. Projects determined to be in full compliance with the applicable regulations shall be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.06: Temporary Improvement Location Permit* for details about this process.
- D. Establish a New Land Use or Change an Existing Land Use: A project that involves establishing a new land use on a parcel or in a structure, or changing an existing land use, shall have the project reviewed for compliance with the Unified Development Ordinance. Projects determined to be in full compliance with the applicable regulations shall be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.05: Improvement Location Permit* for details about this process.
- E. Special Exception: An Application for a Special Exception may be filed for a land use classified as a Special Exception in *Article 2: Zoning Districts* for the subject zoning district. The Board of Zoning Appeals shall utilize a specific public hearing and procedural findings to determine whether the land use is appropriate for the specific parcel named in the petition. See *Section 9.13: Special Exception* for details about this process.
- F. Change to a Different Zoning District: An Application for a Rezoning may be filed for a parcel to be changed from its existing zoning district to a different zoning district. The Plan Commission shall utilize a specific public hearing to review the proposed change in zoning. The Plan Commission shall then forward a recommendation to the Common Council for final action. Approval or denial is the full discretion of the Common Council. See *Section 9.20: Zoning Map Amendment* for details about this process.

# Introduction to Processes

## 9.02 Development Plan Approval Processes Applicable to a Parcel

This process section applies to the following zoning districts:

**M2 MP**

- A. Permanent Construction, Installation, Addition, Alteration, or Relocation of a New Structure: A project that involves constructing, installing, adding onto, altering, or relocating a structure (e.g. building) for a permanent duration shall be reviewed as a Development Plan by the Plan Commission. Projects determined to meet the Plan Commission's expectations and that are in full compliance with the applicable regulations shall be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.08: Development Plan* for details about this process.
- B. Permanent Alteration to the Land: A project that involves permanently altering the topography, drainage, floodplain, or significant environmental features shall be reviewed as a Development Plan by the Plan Commission. Projects determined to meet the Plan Commission's expectations and that are in full compliance with the applicable regulations shall be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.08: Development Plan* for details about this process.
- C. Temporary Use of Land or Structure: A project that involves establishing a temporary use or installing a temporary structure shall be reviewed as a Development Plan by the Plan Commission. Projects determined to meet the Plan Commission's expectations and that are in full compliance with the applicable regulations will be issued a Temporary Improvement Location Permit authorizing the project to begin. See *Section 9.06: Temporary Improvement Location Permit* for details about this process.
- D. Establish a New Land Use or Change an Existing Land Use: A project that involves establishing a new land use on a parcel or in a structure, or changing an existing land use, shall be reviewed as a Development Plan by the Plan Commission. Projects determined to meet the Plan Commission's expectations and that are in full compliance with the applicable regulations will be issued an Improvement Location Permit authorizing the project to begin. See *Section 9.05: Improvement Location Permit* for details about this process.
- E. Special Exception: An Application for a Special Exception may be filed for a land use classified as a Special Exception in *Article 2: Zoning Districts* for the subject zoning district. The Board of Zoning Appeals shall utilize a specific public hearing and procedural findings to determine whether the land use is appropriate for the specific parcel named in the petition. See *Section 9.13: Special Exception* for details about this process.
- F. Change to a Different Zoning District: An Application for a Rezoning may be filed for a parcel to be changed from its existing zoning district to a different zoning district. The Plan Commission shall utilize a specific public hearing to review the proposed change in zoning. The Plan Commission shall then forward a recommendation to the Common Council for final action. Approval or denial is the full discretion of the Common Council. See *Section 9.20: Zoning Map Amendment* for details about this process.

# Introduction to Processes

## 9.03 Processes Applicable to Developments

This process section applies to the following zoning districts:



- A. **Planned Development:** An elective approval process for developments that involve mixed-use, for significantly unique development designs, and for land that has significantly unique geologic features. This process allows the developer to write a unique ordinance that partially replaces the Unified Development Ordinance to allow greater design flexibility. Applications for Planned Development are reviewed and approved by a combination of the Plan Commission and Common Council, and approval or denial is the full discretion of the Plan Commission and Common Council. See *Section 9.09: Planned Development* for details about this process.
- B. **Subdivision of Land:** An Application for Primary Plat resulting in a parcel of land to be divided to create buildable lots shall be required to be reviewed and approved by the Plan Commission. This process also applies to any two (2) or more buildable lots being combined into a single buildable lot. Divisions of land recorded at the Office of the Wayne County Recorder without being approved by the Plan Commission shall not result in buildable lots. See *Section 9.14: Subdivision of Land* for details.

## 9.04 Processes for Relief from Regulations

This process section applies to the following zoning districts:



- A. **Administrative Appeal:** An Application for Appeal for a decision, interpretation, order determination, or action of the Zoning Administrator to be overturned or corrected shall be reviewed by the Board of Zoning Appeals. The Board of Zoning Appeals may allow the Zoning Administrator's interpretation to stand or may overturn or correct any Zoning Administrator's decision, interpretation, order determination or action. See *Section 9.07: Administrative Appeal* for details about this process.
- B. **Variance from Development Standards:** An Application for a Variance may be filed so that an petition for an applicable development standard may be partially or fully waived by the Board of Zoning Appeals, or a use that is not permitted may be permitted. The Board of Zoning Appeals may grant a Variance of Development Standard or a Variance of Use upon making specific findings of fact, with or with conditions or commitments. See *Section 9.18: Variance* for details about this process.