

Development Plan

9.08 Development Plan

This process applies to the following zoning districts:



A. Prerequisite.

1. Development Plan Approval shall be required prior to an Improvement Location Permit being issued for:
 - a. Permanent Construction, Installation, Addition, Alteration, or Relocation of a New Structure, and
 - b. Permanent Alteration to the Land.
2. *Subdivisions*: For residential subdivisions, Development Plan Approval shall be reviewed concurrently with the secondary plat.

B. Exemptions from Development Plan:

1. *Single-family detached residential*: Any lot being developed for a single-family detached residence or its accessory structures shall be exempt from Development Plan Approval. Only the Improvement Location Permit process shall apply.
2. *Agriculture Sites and Buildings*: Any lot being solely used for agricultural purposes shall be exempt from Development Plan Approval. Only the Temporary Improvement Location Permit process shall apply.
3. *Temporary Use of Land or Structure*: Any temporary use of land or structure shall be exempt from Development Plan Approval. Only the Improvement Location Permit process shall apply.
4. *Establish a New Land Use or Change an Existing Land Use*: Establishing a new land use or changing an existing land use shall be exempt from Development Plan Approval. Only the Improvement Location Permit process shall apply.

C. Filing Requirements:

1. *Application*: Application for Development Plan Approval shall be made on a form provided by the Zoning Administrator. The following information shall be provided on the application form.
 - a. Property owner's name, mailing address, phone number and/or email address.
 - b. Applicant's name, mailing address, phone number, and/or email address, if different than owner.
 - c. Written detailed description of the proposed project.
 - d. Date submitted and signed.
 - e. Signature of the applicant, testifying that they are authorized to represent the property.
 - f. Any other information requested on the application form.
2. *Interested Parties*: A list of names and mailing addresses of all known adjacent property owners. The measurement shall include any adjacent property regardless if a road, river, railroad, or other physical barrier exists. This information may be obtained from the Wayne County Auditor's Office.
3. *For Permanent Construction, Installation, Addition, Alteration, or Relocation of a Structure*: The following supporting information, as applicable, shall be provided on a site plan, application form, and/or as an attachment.
 - a. Projects involving non-inhabitable structures not mounted on a permanent foundation.
 - i. A drawing of the parcel with dimensions.
 - ii. The building envelope (i.e. the resulting developable area after applying setbacks).
 - iii. The location of existing structures (e.g. home, garage, sidewalk, or driveway).
 - iv. The location of the proposed structure.
 - v. A calculation of the existing lot coverage, expressed in a percentage.
 - vi. A calculation of the lot coverage as it would be upon completing the project, expressed in a percentage.
 - vii. An affidavit stating the proposed project is not located within a floodplain or easement.

- b. Projects involving non-inhabitable structures mounted on a permanent foundation.
 - i. All requirements of *Section 9.08(C)(3)(a)*.
 - ii. A scale drawing of the parcel with dimensions.
 - iii. Existing adjacent right-of-ways, street easements or alley easements, and the name of the street or alley if applicable.
 - iv. Easements on the parcel or adjacent to the parcel, including the name of the easement holder and a description of the terms of the easement.
 - v. Denotation of any existing structure on adjacent parcels if within twenty (20) feet of the subject parcel's property line.
 - c. Projects involving inhabitable buildings.
 - i. All requirements of *Section 9.08(C)(3)(b)*.
 - ii. Denotation of the location of mature trees, greater than nine (9) inches in caliper.
 - iii. Elevation above sea level at the location of the project prior to alteration of land.
 - iv. Certification by a licensed engineer or surveyor that the proposed project is not on or within 30 feet of a floodplain or wetland.
 - v. Denotation of adjacent zoning districts if different than the subject parcel.
 - vi. Location of existing or proposed drainage tile.
 - vii. Denotation of where utilities lines will be run to the building and whether they are above or below grade.
 - viii. Location of a septic system, reserve area for a replacement septic system, well, geothermal loop, or other on-site utility system.
 - ix. Denotation of any existing structure on adjacent parcels if within fifty feet (50) feet of the subject parcel's property line.
 - d. Complex or Unique Projects: The Zoning Administrator may require any additional information if reasonably necessary to determine if a complex or unique project complies with the provisions of the Unified Development Ordinance. This may include the supporting information listed in *Section 9.11(D)(2)(i)* for projects within the APO District.
4. *For Permanent Alteration to the Land:* The following supporting information, as applicable, shall be provided on a site plan, application form, and/or as an attachment.
- a. Projects that involve disturbing more than five percent (5%) of a parcel's area on a parcel less than five (5) acres in area, or disturbing any portion of a site greater than five (5) acres, or that results in more than 9,000 cubic feet of soil being disturbed (cumulative amount of soil added from one area and soil removed from another, not the net of soil added and removed).
 - i. A scale drawing of the parcel with dimensions.
 - ii. The location of existing structures (e.g. building, sidewalk, or driveway).
 - iii. Denotation of existing mature trees, greater than nine (9) inches in caliper.
 - iv. Denotation of floodplains, wetlands, rock formations, karst, natural lakes, streams, regulated drains, retention ponds, detention ponds, known drainage tile, inlets, outlets, monuments or markers, and drainage swales on the parcel and within seventy-five (75) feet of the parcel's property lines.
 - v. Two-foot contour lines of the existing parcel.
 - vi. Two-foot contours showing the parcel's contours as it would be upon completing the proposed project.
 - vii. Erosion control methodology, devices, locations, and maintenance strategy.
 - viii. Drainage evaluation of the existing parcel and as it would be upon completion of the proposed project with a characterization of the change to drainage onto adjacent properties, into drainage tile, or into surface water ways.
 - ix. Design cross-section of recreational ponds.

Development Plan

5. *Deadline:* Thirteen (13) hard copies of the Application for Development Plan Approval; thirteen (13) hard copies of all supporting information; one (1) digital copy of the Application for Development Plan Approval and supporting information in .pdf (portable document format); and one (1) digital copy of any drawings or plans in .dwg format shall be submitted to the Plan Commission at least twenty-eight (28) days prior to the public meeting at which it is first to be considered by the Plan Commission.
6. *Fees:* Applicable fees shall be paid at the time the Application for Development Plan Approval is filed.

D. Review Procedure:

1. *Assignment:* Development Plans which are determined to be substantially complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the first available Plan Commission agenda that occurs at least twenty-eight (28) days after the substantially complete application for Development Plan was submitted. The Zoning Administrator shall notify the applicant in writing of the date of the meeting and provide the applicant with a legal notice.
2. *Internal Review:* Upon assignment of a case number and hearing date, the Technical Review Committee and/or the Building Department, Engineering Department, Fire Department, Police Department, Department of Public Works, Wayne County Surveyor's Office, Utility Departments and other applicable agencies will be notified of the proposed Development Plan and asked to review and comment. The Zoning Administrator may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Development Plan, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the Development Plan and information from the Technical Review Committee and/or other agencies that have reviewed the Development Plan. A copy of such report shall be made available to the applicant and all remonstrators.
3. *Public Notice:* The following public notice standards apply to an Application for Development Plan Approval. All costs associated with providing public notice shall be borne by the applicant.
 - a. The Zoning Administrator shall notify all interested parties of the public hearing by regular US mail a minimum of ten (10) days before the public hearing.
 - b. The Zoning Administrator shall publish legal notice in a newspaper of general circulation a minimum of ten (10) days before the public hearing.
 - c. The Zoning Administrator shall be responsible for providing proof of published notice to the Plan Commission and including proof in the case file.
4. *Attendance:* The applicant shall be present at the Plan Commission meeting to explain the proposed Development Plan and address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the Application for a Development Plan.
5. *Public Hearing:* A public hearing shall be held in accordance with the Plan Commission Rules of Procedure.
6. *Review:* At their regularly scheduled public meeting, the Plan Commission shall review:
 - a. The Application for Development Plan Approval.
 - b. All supporting information including the site plan, site access and circulation plan, elevations, etc.
 - c. The testimony of the applicant.
 - d. Information presented in writing or verbally by the Zoning Administrator, the Technical Review Committee, or other applicable department or agency.
 - e. Input from the public during the public hearing.
 - f. Any applicable provisions of the Unified Development Ordinance.
 - g. Any applicable requirements of the City of Richmond's Construction Standards.
 - h. Any other information as may be required by the Plan Commission to evaluate the application.

7. *Decision*: The Plan Commission shall make findings of fact and take final action or continue the Application for Development Plan Approval to a defined future meeting date.
 - a. *Findings of Fact*: The Plan Commission shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the portion of the Unified Development Ordinance or City of Richmond's Construction Standards with which there is not compliance.
 - i. The development plan is consistent with the *City of Richmond Comprehensive Plan*.
 - ii. The development plan satisfies the development requirements of *Article 2: Zoning Districts*.
 - iii. The development plan satisfies the standards of *Article 5: Development Standards*.
 - iv. The development plan satisfies any other applicable provisions of the Unified Development Ordinance.
 - v. The development plan satisfies the construction requirements of the City of Richmond's Construction Standards.
 - b. *Final Action*: Based on the findings of fact, the Plan Commission shall approve, approve with conditions, or deny the Application for Development Plan Approval.
 - c. The findings of fact and final action shall be signed by the President of the Plan Commission.
 - d. The Zoning Administrator shall provide the applicant a copy of the decision.
- E. *Duration*: An approved Development Plan shall be valid for two (2) years from the date the Plan Commission granted approval. The Zoning Administrator may grant one (1) six-month extension for cause. The applicant shall submit the request for extension in writing, and the Zoning Administrator shall make a written determination regarding the decision. Both the request and the determination shall be made part of the Development Plan record. If development of the project has not begun by the end of the two-year period (or by the end of the six-month extension), the approval expires and a new Application for Development Plan Approval shall be submitted.
- F. *Modification*:
 1. *Minor Amendments*: Minor amendments to approved Development Plans which do not involve an increase in height, area, bulk or intensity of land uses; the designation of additional land uses; a reduction in yards; the addition of driveways or access points; or a reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing, if the requested minor amendments do not adversely impact the purpose or intent of the overall development. Minor amendments authorized by the Zoning Administrator shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.
 2. *Major Amendments*: If the Zoning Administrator determines that the proposed modification may adversely impact the purpose or intent of the overall development; or if the proposed modification includes an increase in intensity of any land use; or if the proposed modification includes the designation of an additional land use, the applicant shall be required to file a new Application for Development Plan Approval.

Planned Development; General

9.09 Planned Development; General

A. Purpose and Intent:

1. *General:* A Planned Development zoning district may be used to provide for:
 - a. A development with complex mixes of land uses, or mixes of land uses within buildings.
 - b. A development on:
 - i. A unique geological feature,
 - ii. A site with notable quality natural features, or
 - iii. A site with notable quantity of natural features.
 - c. A development with a notably unique or innovative design.
2. *Process Outline:* The three (3) steps of the Planned Development process are listed below and explained in detail in the following Sections.
 - a. The Planned Development District Ordinance and Establishment Plan.
 - b. The Planned Development Detailed Development Plan.
 - c. The Planned Development Final Development Plan.

Planned Development; Establishment Plan

9.10 Planned Development: District Ordinance and Establishment Plan

A. Purpose and Intent:

1. *Planned Development District Ordinance:* The purpose of the Planned Development District Ordinance is to:
 - a. Designate, or rezone, a parcel of land as a Planned Development zoning district.
 - b. Specify uses or a range of uses permitted in the Planned Development zoning district.
 - c. Specify development requirements in the Planned Development zoning district.
 - d. Specify the plan documentation and supporting documentation that may be required.
 - e. Specify any limitation applicable to the Planned Development zoning district.
 - f. Meet the requirements of *IC 36-7-4-1500 et seq.*
2. *Establishment Plan:* The purpose of an Establishment Plan is to delineate basic elements such as land uses, vehicular and pedestrian traffic patterns, drainage, perimeter bufferyards, etc.

B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this Section.

C. Prerequisites:

1. *Ownership:* Planned Developments shall be initiated by the owners of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from all owners shall accompany the application.
2. *Pre-application Meeting:* Prior to submitting an Application for a Planned Development, the applicant shall meet with the Zoning Administrator to review the zoning classification of the site, review regulatory ordinances and materials, review the procedures and examine the proposed use and development of the property.

D. Filing Requirements:

1. *Application:* Application for a Planned Development shall be made on a form provided by the Zoning Administrator.
2. *Supporting Information:* The Application for a Planned Development shall be accompanied by the following information.
 - a. A list of names and mailing addresses of all known adjacent property owners. The measurement shall include any adjacent property regardless if a road, river, railroad, or other physical barrier exists. This information may be obtained from the Wayne County Auditor's Office.
 - b. Survey and legal description of the proposed site of the Planned Development.
 - c. The Establishment Plan that conceptually delineates the basic physical elements of the Planned Developments including land use, circulation, and perimeter buffers.
 - d. A draft of the Planned Development District Ordinance that includes proposed development standards for all land uses within the Planned Development.
 - e. Any other information requested in writing by the Plan Commission or Zoning Administrator.
3. *Deadline:* Thirteen (13) hard copies of the Application for a Planned Development; thirteen (13) hard copies of all supporting information; one (1) digital copy of the Application for a Planned Development and all supporting information in .pdf (portable document format); and one (1) digital copy of any drawings in .dwg file format shall be submitted twenty-eight (28) days prior to the public meeting at which it is first to be heard by the Plan Commission.
4. *Fees:* Applicable fees shall be paid at the time the Application for a Planned Development is filed.

Planned Development; Establishment Plan

E. Formal Procedure:

1. *Assignment*: An Application for a Planned Development, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the first Plan Commission agenda that occurs twenty-eight (28) days after the Planned Development was submitted in its entirety. The Zoning Administrator shall notify the applicant in writing of the date of the meeting.
2. *Internal Review*: Upon assignment of a case number and hearing date, the Zoning Administrator shall review the Application for a Planned Development and all supporting information. While the Establishment Plan is conceptual, the Zoning Administrator may forward the Establishment Plan and any other relevant information to the Technical Review Committee, Plan Commission legal counsel, Building Department, Engineering Department, Fire Department, Police Department, Department of Public Works, Wayne County Surveyor's Office, Utility Departments, or other applicable agencies. The Zoning Administrator may submit a written report to the Plan Commission stating facts concerning the physical characteristics of the area involved in the Planned Development, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the Planned Development and information from any other agencies that reviewed the Planned Development. A copy of such report shall be made available to the applicant and all remonstrators.
3. *Public Notice*: The following public notice standards apply to an Application for a Planned Development. All costs associated with providing public notice shall be borne by the applicant.
 - a. The Zoning Administrator shall notify all interested parties of the public hearing by regular US mail a minimum of ten (10) days before the public hearing.
 - b. The Zoning Administrator shall publish legal notice in a newspaper of general circulation a minimum of ten (10) days before the public hearing.
 - c. The Zoning Administrator shall be responsible for providing proof of published notice to the Plan Commission and including proof in the case file.
4. *Attendance*: The applicant shall be present at the Plan Commission meeting to explain the proposed Planned Development and address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the Application for a Planned Development.
5. *Public Hearing*: A public hearing shall be held in accordance with the Plan Commission Rules of Procedure.
6. *Review*: At their regularly scheduled public meeting, the Plan Commission shall review:
 - a. Application for a Planned Development.
 - b. Planned Development District Ordinance draft.
 - c. Establishment Plan.
 - d. *The City of Richmond Comprehensive Plan.*
 - e. Current conditions and the character of current structures and uses in the area.
 - f. The most desirable use for which the land in the area is adapted.
 - g. The conservation of property values throughout the jurisdiction.
 - h. Responsible development and growth.
 - i. The testimony of the applicant.
 - j. Relevant evidence presented by other persons.
 - k. The limitations, standards, and requirements of *Article 4: Planned Development District.*
 - l. Any applicable provisions of the Unified Development Ordinance.
 - m. The Zoning Administrator's report or any other documents provided by other departments or agencies.
 - n. Any other additional information as may be required by the Plan Commission to evaluate the application.

Planned Development; Establishment Plan

7. *Decision*: The Plan Commission shall take final action or continue the Application for a Planned Development to a defined future meeting date.
 - a. *Final Action*: The Plan Commission shall certify and forward the Application for a Planned Development to the Common Council with:
 - i. A favorable recommendation.
 - ii. A favorable recommendation and with recommendations for commitments and/or conditions.
 - iii. An unfavorable recommendation.
 - iv. No recommendation.
 - b. *Revisions*: If the certified version of the Planned Development District Ordinance or Establishment Plan was revised during the process of Plan Commission review, the Zoning Administrator shall make the revisions to the Planned Development District Ordinance and the applicant shall make the revisions to the Establishment Plan so the Common Council receives the certified versions of the Planned Development District Ordinance and Establishment Plan.
8. *Commitments and Conditions*: In conjunction with its recommendation to the Common Council, the Plan Commission may recommend written commitments and/or conditions for approval. Commitments and/or conditions shall be recorded in the Office of the Wayne County Recorder within thirty (30) days of the Common Council's approval of the Planned Development District Ordinance and Establishment Plan. The applicant shall deliver a copy of the recorded commitments and/or conditions to the Zoning Administrator before proceeding with Step 2 and filing a Planned Development Detailed Development Plan.
- F. *Duration*: If Step 2, a Planned Development Detailed Development Plan, has not been filed within one (1) year of the date the Common Council approved the Planned Development District Ordinance and the Establishment Plan, the approval expires and a new Application for a Planned Development shall be submitted.
- G. *Modification*:
 1. *Planned Development District Ordinance*: An amendment to the text of the Planned Development District Ordinance shall follow the process in [Section 9.16: Unified Development Ordinance Text Amendment](#).
 2. *Establishment Plan*: Modification to an Establishment Plan shall be explained and illustrated during a Planned Development Detailed Development Plan review and approval process, unless the Zoning Administrator determines the modification is significant enough to change the character and intent of the Planned Development. In such cases, a new Application for a Planned Development shall be required.
 3. *Commitments and Conditions*: Commitments and conditions associated with a Planned Development District Ordinance and Establishment Plan shall only be modified or terminated by a decision of the Common Council made at a public hearing.

Planned Development; Detailed Development Plan

9.11 Planned Development; Detailed Development Plan

- A. Purpose and Intent: The Planned Development Detailed Development Plan shall provide the Plan Commission with the opportunity to review the details of the site plan and determine compliance with the Planned Development District Ordinance. If the Planned Development involves the subdivision of land, this step also serves as the Primary Plat.
- B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this Section.
- C. Prerequisites:
1. *Planned Development District Ordinance and Establishment Plan*: The Planned Development District Ordinance and Establishment Plan shall be approved by the Common Council prior to submitting a Planned Development Detailed Development Plan. If approval included commitments and/or conditions, those commitments and/or conditions shall be recorded in the Office of the Wayne County Recorder.
- D. Filing Requirements:
1. *Application*: Application for a Planned Development should be on file with the Zoning Administrator from the Planned Development District Ordinance and the Establishment Plan.
 2. *Supporting Information*: The following information shall be submitted for the Planned Development; Detailed Development Plan review process.
 - a. A list of names and mailing addresses of all known adjacent property owners. The measurement shall include any adjacent property regardless if a road, river, railroad, or other physical barrier exists. This information may be obtained from the Wayne County Auditor's Office.
 - b. A Site Plan, drawn to scale, that includes the following items:
 - i. North arrow.
 - ii. Graphic scale.
 - iii. Address of the site.
 - iv. Proposed name of the development.
 - v. Area map insert showing the general location of the site referenced to major streets.
 - vi. Boundary lines of the site including all dimensions of the site.
 - vii. Names, centerlines, and right-of-way widths of all streets, alleys, and easements.
 - viii. Layout, number, dimension, and area of all lots.
 - ix. Location and dimensions of all existing and proposed structures, including paved areas, entryway features, and signs.
 - x. Location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
 - xi. Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking - number of parking spaces provided; office-floor area).
 - xii. Distance of all structures from front, rear, and side lot lines.
 - xiii. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails, or other similar uses.
 - xiv. Proposed landscaping buffers or landscaped areas.
 - xv. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
 - c. Representative building elevations for facades of residential and non-residential primary structures shall be drawn to scale and include the following items:
 - i. Proposed name of the development.
 - ii. Graphic scale.
 - iii. Specification of the type and color of building materials to be used for wall, window, roof, and other architectural features.
 - iv. Placement, size, color, and illumination details for any proposed wall sign.
 - v. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.

- d. A Site Access and Circulation Plan shall be required, but may be incorporated into the required Site Plan or may be submitted as a separate plan. It shall be drawn to scale.
 - i. North arrow.
 - ii. Graphic scale.
 - iii. Address of site.
 - iv. Proposed name of the development.
 - v. Names, centerlines, and right-of-way widths of all existing and proposed streets, alleys, and easements within 100 feet of the site.
 - vi. Location of any proposed or existing driveways onto a street or alley and its width at the lot line.
 - vii. All improvements to the street system on-site and off-site.
 - viii. Measurement of curb radius and/or flares.
 - ix. Location of proposed and existing sidewalk or sidepath.
 - x. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
- e. A Utility Plan shall be drawn to scale and shall include the following items:
 - i. Location of all existing and proposed utility easements.
 - ii. Location and size of all existing and proposed utility components including, but not limited to sanitary sewer components, water components, storm water components, electric, gas, telephone, and cable.
 - iii. Location and illumination capacity of all lights.
 - iv. Names of legal ditches and streams in or adjacent to the site.
 - v. Contours sufficient to illustrate storm water runoff.
 - vi. Storm water drainage plan including estimated runoff.
 - vii. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
- f. Traffic Impact Study.
 - i. A Traffic Impact Study shall be required when a proposed development meets or exceeds the warrants of the Indiana Department of Transportation Traffic Impact Study Guidelines (150 or more dwelling units; 15,000 square feet or more of retail space; 35,000 or more square feet of office space; 70,000 square feet or more square feet of industrial space; 30,000 square feet or more of educational space; 120 or more occupied rooms; 46,000 or more square feet of medical space; or any mixed use development which generates 100 or more peak hour trips in the peak direction).
 - ii. A registered professional engineer shall prepare and certify the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, the applicant shall meet with the Zoning Administrator and City Engineer to determine an appropriate scope for the Traffic Impact Study.
- g. Statement of Development Build-Out: The applicant shall indicate, either on the required Site Plan or in writing, a statement of:
 - i. The order of development of the major infrastructure elements of the project.
 - ii. Project phase boundaries, if any.
 - iii. The order and content of each phase.
 - iv. An estimate of the time frame for build-out of the project.
- h. Landscape Plan: The applicant shall indicate, either on the required Site Plan or on a separate landscape plan, existing and proposed green space and landscaping on the site showing how the proposed landscaping meets or exceeds the standards detailed in the *Perimeter Landscaping Standards* in Article 7 and *Landscape Standards* in Article 5.

Planned Development; Detailed Development Plan

- i. APO District Requirements. If the proposed development is in the APO District, the applicant shall submit the following:
 - i. A narrative description of the site including any existing uses, setbacks, available sewage disposal facilities, and a brief history of the site (including any former uses, historical environmental concerns, abandoned wells, underground storage tanks, or septic systems).
 - ii. Description of the proposed operations, including chemical/products used or generated, chemical/product storage area descriptions, waste generation quantities, equipment cleaning/maintenance procedures.
 - iii. Methods and locations of receiving, handling, storing and shipping chemicals/products and wastes.
 - iv. Spill or release response measures and reporting.
 - v. Description of slopes near containment vessels and waste storage areas.
 - vi. The following information shall also be included on the required Site Plan or an additional plan: all paved and non-paved areas; floor drain locations and outlets; chemical/product storage locations; waste storage locations; liquid transfer areas; underground storage tanks and associated piping; above ground storage tanks and associated piping; slope and contours of finished grade at two-foot intervals; and proposed containment area detail drawings, including area, heights, materials, specifications, if applicable.
 3. *Deadline:* Thirteen (13) hard copies of the Application for a Planned Development; thirteen (13) hard copies of all supporting information; one (1) digital copy of the Application for a Planned Development and all supporting information in .pdf (portable document format); and one (1) digital copy of any drawings in .dwg file format shall be submitted twenty-eight (28) days prior to the public meeting at which it is first to be heard by the Plan Commission.
 4. *Fees:* Applicable fees shall be paid at the time when the Planned Development Detailed Development Plan is filed.
- E. Formal Procedure:
1. *Assignment:* A Planned Development Detailed Development Plan, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the first Plan Commission agenda that occurs twenty-eight (28) days after the Planned Development Detailed Development Plan was submitted in its entirety. The Zoning Administrator shall notify the applicant in writing of the meeting date.
 2. *Internal Review:* Upon assignment of a case number and hearing date, the Technical Review Committee and/or the Building Department, Engineering Department, Fire Department, Police Department, Department of Public Works, Wayne County Surveyor's Office, Utility Departments and other applicable agencies will be notified of the proposed Planned Development Detailed Development Plan and asked to review and comment. The Zoning Administrator may request a formal meeting of the Technical Review Committee and request the applicant's presence at that meeting. Following a thorough review, the Zoning Administrator may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Planned Development Detailed Development Plan, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the Planned Development Detailed Development Plan and information from the Technical Review Committee and/or other agencies that have reviewed the Planned Development Detailed Development Plan. A copy of such report shall be made available to the applicant and all remonstrators.
 3. *Public Notice:* The following public notice standards apply to a Planned Development Detailed Development Plan. All costs associated with providing public notice shall be borne by the applicant.
 - a. The Zoning Administrator shall notify all interested parties of the public hearing by regular US mail a minimum of ten (10) days before the public hearing.
 - b. The Zoning Administrator shall publish legal notice in a newspaper of general circulation a minimum of ten (10) days before the public hearing.
 - c. The Zoning Administrator shall be responsible for providing proof of published notice to the Plan Commission and including proof in the case file.

Planned Development; Detailed Development Plan

4. *Attendance:* The applicant shall be present at the Plan Commission meeting to explain the proposed Planned Development and address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the Application for a Planned Development.
5. *Public Hearing:* A public hearing shall be held in accordance with the Plan Commission Rules of Procedure.
6. *Review:* At their regularly scheduled public meeting, the Plan Commission shall review:
 - a. The original Application for a Planned Development.
 - b. Approved Planned Development District Ordinance.
 - c. Approved Establishment Plan.
 - d. All supporting information including the site plan, site access and circulation plan, elevations, utility plan, statement of development buildout, landscape plan, and, if applicable, traffic impact study and APO District requirements.
 - e. The testimony of the applicant.
 - f. Information presented in writing or verbally by the Zoning Administrator, the Technical Review Committee, or other applicable department or agency.
 - g. Input from the public during the public hearing.
 - h. Any applicable requirements of the City of Richmond's Construction Standards.
 - i. The limitations, standards, and requirements of *Article 4: Planned Development District*.
 - j. Any applicable provisions of the Unified Development Ordinance.
 - k. The Zoning Administrator's report or any other documents provided by other departments or agencies.
 - l. Any other additional information as may be required by the Plan Commission to evaluate the application.
7. *Decision:* The Plan Commission shall make findings of fact and take final action or continue the Planned Development Detailed Development Plan to a defined future meeting date.
 - a. *Findings of Fact:* The Plan Commission shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the portion of the Planned Development District Ordinance, the Unified Development Ordinance, or City of Richmond's Construction Standards with which there is not compliance.
 - i. The Planned Development Detailed Development Plan is consistent with the *City of Richmond Comprehensive Plan*.
 - ii. The Planned Development Detailed Development Plan is consistent with *Article 4: Planned Development District*.
 - iii. The Planned Development Detailed Development Plan satisfies the development standards of the approved Planned Development District Ordinance.
 - iv. The Planned Development Detailed Development Plan satisfies the construction requirements of the City of Richmond's Construction Standards.
 - b. *Final Action:* Based on the findings of fact, the Plan Commission shall approve, approve with conditions, or deny the Planned Development Detailed Development Plan. If conditions are required, the conditions shall be recorded in the Office of the Wayne County Recorder within thirty (30) days of the Plan Commission's approval of the Planned Development Detailed Development Plan. The applicant shall deliver a copy of the recorded conditions to the Zoning Administrator before filing a Planned Development Final Development Plan.
 - c. The findings and final decision shall be signed by the President of the Plan Commission.
 - d. The Zoning Administrator shall provide the applicant a copy of the final decision.
- F. *Duration:* An approved Planned Development Detailed Development Plan shall be valid for two (2) years from the date the Plan Commission granted approval. The Zoning Administrator may grant one (1) six-month extension. The applicant shall submit the request for extension in writing, and the Zoning Administrator shall make a written determination regarding the decision. Both the request and the determination shall be made part of the Planned Development record. If development of the project has not commenced by the end of the two (2) year period (or by the end of the six-month extension), the approval expires and an Application for a Planned Development (District Ordinance and Establishment Plan) shall be required.

G. Modification:

1. *Minor Amendments:* A minor amendment to an approved Planned Development Detailed Development Plan which does not involve an increase in height, area, bulk or intensity of land uses; the designation of additional land uses; a reduction in yards; the addition of driveways or access points; or a reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing, if the requested minor amendment does not adversely impact the purpose or intent of the overall development. Minor amendments authorized by the Zoning Administrator shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.
2. *Major Amendments:* If the Zoning Administrator determines that the proposed modification may adversely impact the purpose or intent of the overall development; or if the proposed modification includes an increase in intensity of any land use; or if the proposed modification includes the designation of an additional land use, the applicant shall be required to file a new Planned Development Detailed Development Plan.

Planned Development; Final Development Plan

9.12 Planned Development; Final Development Plan

- A. Purpose and Intent: The Planned Development Final Development Plan shall clearly define all construction matters and special conditions such as construction techniques, materials and the like, as well as prepare the plans and documents for recording. If the Planned Development involves the subdivision of land, this step also serves as the Secondary Plat Approval.
- B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this Section.
- C. Prerequisites:
 1. *Planned Development Detailed Development Plan*: The Planned Development Detailed Development Plan shall be approved by the Plan Commission prior to submitting a Planned Development Final Development Plan. If Planned Development Detailed Development Plan approval included conditions, those conditions shall be recorded in the Office of the Wayne County Recorder.
 2. *Infrastructure*: A Planned Development shall have all of the infrastructure improvements proposed in the Planned Development Detailed Development Plan that are intended to be dedicated to the City installed to meet the City of Richmond's Construction Standards, or the applicant shall have financial security for the cost of the infrastructure improvements in compliance with *Surety Standards* in *Article 7*.
- D. Filing Requirements:
 1. *Application*: The applicant shall submit a letter stating the status of infrastructure improvements and requesting Planned Development Final Development Plan Approval. The original Application for a Planned Development should be on file with the Zoning Administrator from the Planned Development District Ordinance and the Establishment Plan
 2. *Supporting Information*: The following information shall accompany the applicant's letter requesting Planned Development Final Development Plan Approval
 - a. Accurate location of all monumentation, if applicable.
 - b. If infrastructure improvements are complete, the supporting information shall include as-built drawings of each infrastructure system, and copies of any required inspections or certifications.
 - c. If infrastructure improvements intended to be dedicated to the City are not complete, the supporting information shall include detailed descriptions and locations of infrastructure to be installed, estimates from contractors for all infrastructure improvements, and a performance bond for the total amount of the infrastructure improvements.
 - d. Any other information necessary to support a thorough review of the project that is requested, in writing, by the Zoning Administrator or Plan Commission.
 3. *Deadline*: Planned Development Final Development Plan Approval shall be requested within two (2) years of the approval of Planned Development Detailed Development Plan by the Plan Commission.
 4. *Fees*: Applicable fees shall be paid at the time the request for Planned Development Final Development Approval is filed.

Planned Development; Final Development Plan

E. Formal Procedure:

1. *Assignment:* The Zoning Administrator shall review the letter requesting Planned Development Final Development Plan Approval and all supporting information. Based on the history and the complexity of the project, the Zoning Administrator shall determine if the Planned Development Final Development Plan should be presented to the Plan Commission. Should the Zoning Administrator determine Plan Commission review is necessary, the Zoning Administrator shall assign the Planned Development Final Development Plan a case number and place it on the first Plan Commission agenda that occurs twenty-eight (28) days after the request for Planned Development Final Development Plan approval was submitted in its entirety. The Zoning Administrator shall notify the applicant in writing if Plan Commission review is necessary and the date of the meeting, if applicable.
2. *Review:* The Zoning Administrator shall provide the letter requesting Planned Development Final Development Plan approval, the supporting information, and a comment sheet to all applicable departments and agencies. Each department shall determine if the infrastructure improvements installed or proposed to be installed meet the City of Richmond's Construction Standards and establish adequate connection to the existing and future systems. If applicable, each department shall also review applicable cost estimates for reasonableness. Each department shall return the comment sheet with any comments or concerns concerning the infrastructure or the project. If it has been determined that Plan Commission review is required, the comment sheets shall be forwarded to the Plan Commission for review at the meeting.
3. *Public Notice:* Notice and public hearing shall not be required for Planned Development Final Development Plan.
4. *Decision:* Based on comments from departments, the Zoning Administrator or the Plan Commission shall approve, approve with conditions, or deny Planned Development Final Development Plan.

- F. Duration: An approved Planned Development Final Development Plan and any conditions shall be recorded in the Office of the Wayne County Recorder within three (3) months of the date of approval or become null and void.