

Plan Commission Rules and Procedures Amendments

Current Language:

Section 1: Basic Provisions

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1.6. Processes Under the Plan Commission's Purview: The following processes are the responsibility of the Plan Commission:

Processes	Role of Plan Commission	Actions the Plan Commission May Take	Notes
- Site Development Plan - Site Development Plan Amendment	- Hold a public hearing - Render a final decision	- Approve with or without waivers, conditions, and/or written commitments - Deny	Decision is based on site development plan standards contained in the Shelbyville Unified Development Ordinance.
- Subdivision (primary) - Plat amendment	- Hold a public hearing - Render a final decision	- Approve with or without waivers, conditions, and/or written commitments - Deny	Approval of a subdivision is generally ministerial.
- Zone Map Change (rezoning)	- Hold a public hearing - Render an advisory recommendation to the Common Council	- Favorable recommendation with or without conditions and/or written commitments - Unfavorable recommendation - No recommendation	Under all circumstances the petition for a rezoning is forwarded to the Common Council for final action. Imposition of conditions is limited to IC 36-7-4-608(f).
- Planned Development - Planned Development Amendment	- Hold a public hearing - Negotiate content of the regulatory ordinance - Render an advisory recommendation to the Common Council	- Favorable recommendation with or without conditions and/or written commitments - Unfavorable recommendation - No recommendation	Under all circumstances the petition for a planned development is forwarded to the Common Council for final action.
- Replacement Unified Development Ordinance (zoning or subdivision control regulations) - Unified Development Ordinance Text Amendment	- Draft the ordinance or ordinance amendment - Hold a public hearing - Render an advisory recommendation to the Common Council	- Favorable recommendation - Unfavorable recommendation - No recommendation	Under all circumstances, replacement text or a text amendment is forwarded to the Common Council for final action.
- Initial or Replacement Comprehensive Plan - Comprehensive Plan Amendment	- Draft the plan or plan amendment - Hold a public hearing - Render an advisory decision to the Common Council	- Recommendation of approval - Recommendation of denial - No recommendation	Under all circumstances, replacement text or a text amendment is forwarded to the Common Council for final action.

Proposed Language:

Section 1: Basic Provisions

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1.6. Processes Under the Plan Commission's Purview: The following processes are the responsibility of the Plan Commission:

Processes	Role of Plan Commission	Actions the Plan Commission May Take	Notes
<ul style="list-style-type: none"> - Site Development Plan - Site Development Plan Amendment 	<ul style="list-style-type: none"> - Hold a public hearing - Render a final decision 	<ul style="list-style-type: none"> - Approve with or without waivers, conditions, and/or written commitments - Deny 	Decision is based on site development plan standards contained in the Shelbyville Unified Development Ordinance.
<ul style="list-style-type: none"> - Subdivision (primary) - Plat amendment 	<ul style="list-style-type: none"> - Hold a public hearing - Render a final decision 	<ul style="list-style-type: none"> - Approve with or without waivers, conditions, and/or written commitments - Deny 	Approval of a subdivision is generally ministerial.
<ul style="list-style-type: none"> - Subdivision Waiver 	<ul style="list-style-type: none"> • Hold a public hearing • Render a final decision 	<ul style="list-style-type: none"> • Approve with or without conditions, and/or written commitments • Deny 	Decision shall be made in conjunction with a Primary Plat or Replat application and is based on subdivision waiver criteria contained in the Shelbyville Unified Development Ordinance.
<ul style="list-style-type: none"> - Zone Map Change (rezoning) 	<ul style="list-style-type: none"> - Hold a public hearing - Render an advisory recommendation to the Common Council 	<ul style="list-style-type: none"> - Favorable recommendation with or without conditions and/or written commitments - Unfavorable recommendation - No recommendation 	Under all circumstances the petition for a rezoning is forwarded to the Common Council for final action. Imposition of conditions is limited to IC 36-7-4-608(f).
<ul style="list-style-type: none"> - Planned Development - Planned Development Amendment 	<ul style="list-style-type: none"> - Hold a public hearing - Negotiate content of the regulatory ordinance - Render an advisory recommendation to the Common Council 	<ul style="list-style-type: none"> - Favorable recommendation with or without conditions and/or written commitments - Unfavorable recommendation - No recommendation 	Under all circumstances the petition for a planned development is forwarded to the Common Council for final action.
<ul style="list-style-type: none"> - Replacement Unified Development Ordinance (zoning or subdivision control regulations) - Unified Development Ordinance Text Amendment 	<ul style="list-style-type: none"> - Draft the ordinance or ordinance amendment - Hold a public hearing - Render an advisory recommendation to the Common Council 	<ul style="list-style-type: none"> - Favorable recommendation - Unfavorable recommendation - No recommendation 	Under all circumstances, replacement text or a text amendment is forwarded to the Common Council for final action.
<ul style="list-style-type: none"> - Initial or Replacement Comprehensive Plan - Comprehensive Plan Amendment 	<ul style="list-style-type: none"> - Draft the plan or plan amendment - Hold a public hearing - Render an advisory decision to the Common Council 	<ul style="list-style-type: none"> - Recommendation of approval - Recommendation of denial - No recommendation 	Under all circumstances, replacement text or a text amendment is forwarded to the Common Council for final action.

Current Language:

Section 5: Committees

5.1. Authorization: The Shelbyville Plan Commission may establish three (3) types of committees per Indiana State Law: Executive Committee, Plat Committee and Advisory Citizens' Committee.

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B. Plat Committee (IC 36-7-4-701(e)):

1. Role: A plat committee may be authorized to conduct public hearings to consider subdivisions, subdivision amendments, replats, and plat vacations on behalf of the Shelbyville Plan Commission.

Proposed Language:

Section 5: Committees

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B. Plat Committee (IC 36-7-4-701(e)):

1. Role: A plat committee may be authorized to conduct public hearings to consider subdivisions, subdivision amendments, replats, **subdivision waivers**, and plat vacations on behalf of the Shelbyville Plan Commission.

Current Language:

Section 14: General Rules for Applications

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14.9. Hand Delivery of Notices: If an applicant wishes to hand deliver notices to interested parties, the applicant shall get a signature from each property owner or lease holder to whom the notice is delivered. The signature shall be on a form which briefly describes the case, has a signature line, has a date line, and states "... that by signing this form I attest that I have received the legal notice..." or similar language. The form shall be signed and dated at least ten (10) days prior to the public hearing (not including the day of the hearing) to be considered a valid notice.

Proposed Language:

Section 14: General Rules for Applications

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Current Language:

Section 16: Subdivision of Land

16.1. Process: The process for Subdivision of Land shall be according to *Section 9.11: Subdivision of Land* in the Shelbyville Unified Development Ordinance and according to *Section 11: Conduct of Public Hearings* in the Plan Commission Rules and Procedures.

16.2. Notice to Interested Parties: The general public shall be considered an interested party and shall be notified through the newspaper according to *Section 9.13: Notice of Public Hearing* in the Shelbyville Unified Development Ordinance. Interested parties shall also be notified by letter (see *Section 9.13: Notice of Public Hearing* in the Unified Development Ordinance) or by hand delivery (see *Section 14.9: Hand Delivery of Notices* in the Plan Commission Rules and Procedures). The definition of “interested party” shall be according to *Section 21: Definitions* in the Plan Commission Rules and Procedures.

Proposed Language:

Section 16: Subdivision of Land

16.1. Process: The process for Subdivision of Land shall be according to *Section 9.11: Subdivision of Land* in the Shelbyville Unified Development Ordinance and according to *Section 11: Conduct of Public Hearings* in the Plan Commission Rules and Procedures.

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Section 16A: Subdivision Waivers

16A.1 Process: The process for Subdivision Waivers shall be according to *Section 9.15: Subdivision Standard Waiver* in the Shelbyville Unified Development Ordinance and according to *Section 11: Conduct of Public Hearings* in the Plan Commission Rules and Procedures.

16A.2. Notice to Interested Parties: The general public shall be considered an interested party and shall be notified through the newspaper according to *Section 9.13: Notice of Public Hearing* in the Shelbyville Unified Development Ordinance. Interested parties shall also be notified by letter (see *Section 9.13: Notice of Public Hearing* in the Unified Development Ordinance) or by hand delivery (see *Section 14.9: Hand Delivery of Notices* in the Plan Commission Rules and Procedures). The definition of “interested party” shall be according to *Section 21: Definitions* in the Plan Commission Rules and Procedures. The newspaper notice and the notice by letter or hand delivery to interested parties for a subdivision waiver application may be combined with the corresponding Primary Plat notices to interested parties.

Current Language:

Section 22: Fee Schedule

22.1. Fees: In accordance with the requirements of IC 36-7-4-411 and IC 36-7-4-704 and the Shelbyville Unified Development Ordinance, the Shelbyville Plan Commission hereby establishes a uniform schedule of fees contained in a separate City of Shelbyville ordinance that is available and on file in the office of the City of Shelbyville Clerk and the Shelbyville Plan Commission Secretary's Office. Fees apply to the following processes:

- A. Requesting a Special Meeting
- B. Site Development Plan
- C. Subdivision of Land
- D. Zone Map Change
- E. Planned Development, and
- F. Any other process or petition identified in the Shelbyville Unified Development Ordinance or the Fee Ordinance.

Proposed Language:

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