

# Site Plan Approvals, Amendments, Deviations, & Variances

	APPROVAL BEFORE IDO*	APPROVAL PER IDO**	AMENDMENT OF IDO SITE PLAN
<b>DEVIATION</b> <a href="#">Subsection 6-4(O)</a> <a href="#">Table 6-4-2</a>	As part of Major Amendment	As part of Site Plan review	As part of Major Amendment
<b>VARIANCE/WAIVER</b> Waiver – DRB: <a href="#">Subsection 6-6(L)</a> Variance – EPC: <a href="#">Subsection 6-6(M)</a> Variance – ZHE: <a href="#">Subsection 6-6(N)</a>	If > deviation that is allowed as part of Major Amendment	If > deviation that is allowed as part of Site Plan review	If > deviation that is allowed as part of Major Amendment
<b>MINOR AMENDMENT</b> <a href="#">TABLE 6-4-5</a>	<ul style="list-style-type: none"> <li>• <a href="#">Subsection 6-4(Y)(1)(a)</a></li> <li>• Administrative</li> <li>• Limited to threshold in <a href="#">Table 6-4-5</a> based on what was originally approved (cumulative)</li> </ul>	N/A	<ul style="list-style-type: none"> <li>• <a href="#">Subsection 6-4(X)(2)</a></li> <li>• Administrative</li> <li>• Limited to threshold in <a href="#">Table 6-4-5</a> based on what was originally approved (cumulative)</li> </ul>
<b>MAJOR AMENDMENT</b>	<ul style="list-style-type: none"> <li>• <a href="#">Subsection 6-4(Y)(1)(b)</a></li> <li>• Original decision-making body (closest analog)</li> </ul>	N/A	<ul style="list-style-type: none"> <li>• <a href="#">Section 6-4(X)(3)</a></li> <li>• Original decision-making body</li> </ul>

## Approvals before the IDO\*

- [IDO Subsection 14-16-1-10\(A\)](#) says that **uses** and **development standards** approved prior to the IDO will prevail over IDO standards.
- Where a site plan is silent, IDO standards apply.
- Review/decision processes are per the IDO.
- Any requested change to the allowable uses (i.e. restrictions or additional uses, such as C-3 minus listed uses, etc.) on the site plan is processed as a major amendment.
- Subject to expiration per [IDO Subsection 14-16-6-4\(W\)](#) and [Table 6-4-4](#). Applicant can request acceleration of expiration from the original decision-making body if the site is eligible for expiration (e.g. <50% developed).

## New Site Plans\*\*

A property owner can replace a site plan approved either before the IDO or under the IDO, as long as it covers the same geography as the original approval.

- If the site plan is **smaller or leaves out any portion of the area included in the most recently approved site plan**, then the applicant needs to do a Major Amendment to the current site plan to remove the portion of the site that they would like to replace with a new site plan. Then the applicant can come in with a new site plan for the smaller geography per IDO regulations and procedures.
- If the proposed site plan is **larger but includes all of the area included in the most recently approved site plan**, then the applicant can apply for the new site plan per IDO regulations and procedures.
- Anything on the site that existed prior to the IDO (or the most current version of the IDO) can be shown on the new site plan as “as-built” indicating the year. Likely, these will include nonconforming structures, which will be subject to limits on expansion or triggers for compliance per these IDO Subsections:
  - Nonconforming structures: [14-16-6-8\(D\)](#) and [14-16-6-6\(C\)\(3\)](#)
  - Nonconforming signs: [14-16-6-8\(F\)](#)
  - Nonconforming site features: [14-16-6-8\(G\)](#)
- The findings for approval should include the case number(s) for the old site plan(s) and state that the previously approved site plan is being replaced with this new one.

- Once approved, staff needs to note for AGIS that the old site plan needs to be replaced with the most current one on the site plan layer.