



# Small Business Development Guide

*Helping you Navigate the Zoning & Permitting Process*





Greetings,

Indianapolis is in aggressive pursuit of new business growth and development. We are quickly being recognized for these efforts as more and more businesses plant their roots here and take advantage of our eager, talented workforce, low cost of doing business, predictable tax climate and central location.

In fact, we consistently rank among the top places to do business nationally:

- #1 City in the Midwest, #6 Nationally to do Business (Chief Executive 2015)
- Top 10 Great Cities for Starting a Business (Kiplinger 2013)
- #1 City in the Nation for Cost of Doing Business (CNBC 2015)
- Top Ten Metro for Job Growth (The Urbanophile, 2013)
- 8th Best City in the Nation for Small Business (NerdWallet, 2013)
- Top Ten American City to Relocate (CNBC)
- 5th Best Metro Area for Business (Area Development)

This guide was developed to help take the guesswork out of licensing, permitting and zoning processes. We know development projects are critical steps in growing your business, and we also know how important it is to complete these projects seamlessly and efficiently.

We are delighted that you are investing in our community by growing your business here, and we are excited about the opportunity to help make your project a success.

We look forward to serving you.

A handwritten signature in black ink that reads "Joe Hogsett".

Joe Hogsett  
Mayor  
City of Indianapolis

A handwritten signature in black ink that reads "Michael Huber".

Michael Huber  
President & CEO  
Indy Chamber

Zoning-related processes affect the budget and timeline of a project. Each process varies in cost and time, and public notice and hearings are required. Permits are not issued until the zoning processes have been completed and approved.

## The site needs to be rezoned or a variance of use needs to be granted

A rezoning petition would be necessary to change a zoning district from one classification to another. For example, a rezoning petition would be needed to change a residential zoning classification to a commercial classification. A second option would be to seek a variance of use for the site. A variance of use is a quicker process and is less costly, but it does not change the underlying zoning and only allows you to do exactly what is spelled out in the variance request and is typically tied to the site plan filed with the petition. A rezoning petition changes the underlying zoning and provides more options for future use of the site as permitted in the specific zoning district.

### Process

Each petition, timely filed and complete, is docketed for hearing.

Generally, in order to file a complete application for a rezoning petition, the following would be required:

- A completed application form
- Consent of the property owner
- A legal description, with recorded plat or a perimeter survey for metes and bounds descriptions
- A zoning base map
- Rezoning ordinance
- Commitment forms
- The applicable nonrefundable filing fee

Generally, in order to file a complete application for a variance of use petition, the following would be required:

- A complete application form
- Consent of the property owner
- A legal description
- A zoning base map
- A site plan (and other plans as needed)
- Findings of fact
- The applicable nonrefundable filing fee

Typically, a rezoning petition must follow a three-step hearing process: the Hearing Examiner, the Metropolitan Development Commission (MDC) and the City-County Council. (A variance of use is heard in a hearing by the Board of Zoning Appeals (BZA)). The Hearing Examiner makes a recommendation to the MDC for every rezoning and approval case, and approves all other petitions. If no appeal of a rezoning or modification petition is made, the petition is placed on the MDC's "No Appeals Docket." If an appeal is filed, within seven calendar days, the appealed petition will be removed from the "No Appeals Docket" and set for hearing before the MDC. Any petition denied by the MDC, including those on the "No Appeals Docket," proceeds no further in the process. Any rezoning petition that is approved must be certified to the City-County Council for final adoption as a Rezoning Ordinance.

Public notice must be provided for all petitions. This requires a written legal notice (prepared by staff) be provided, by the petitioner, to surrounding property owners, registered neighborhood groups and City-County Councilors at least 23 days before a hearing and that notice, requiring a refundable deposit, be placed on the property by the petitioner. Indiana Code requires that published public notice, which is the responsibility of staff, be provided at least ten days before a hearing.

The petitioner and/or their representative must attend the hearing to present their request. The current planning staff will prepare a staff report, based on a consensus staff recommendation. A copy of the staff report will be mailed to the petitioner a week before the hearing. Petitioners and remonstrators, respectively, shall be given fifteen (15) minutes to present evidence, statements and arguments at the public hearing. Staff will be given a reasonable time to present its information and recommendation. The petitioner and remonstrator shall then be given five (5) minutes for rebuttal. After all testimony is presented, the board or commission will vote to approve, continue, deny or dismiss the petition. A petitioner may withdraw a petition at any time prior to a vote. If a variance of use petition is denied by the BZA the only recourse for the petitioner or remonstrators is to file a writ for judicial review. The public notice requirements for a variance of use is the same as that described above for a rezoning petition.

### **Helpful Hints**

Work closely with Indy Chamber's Regulatory and Permitting Ombudsman and Metropolitan Development staff to help you navigate this process. Remember that in order for a rezoning petition to be heard by the MDC or Hearing Examiner, it must be filed, with consent of the property owner(s), at least 35 days before a scheduled hearing. The same is true of filing a variance of use petition before the BZA.

It is strongly recommended that you contact the registered neighborhood organization in which the proposed project is located. It is best to involve the neighborhood as early in the process as possible to try and get its support from the get-go. This will improve the likelihood that your petition will be approved and avoid the possibility of a request for an automatic continuance.

## **The site does not meet development standards and requires a variance**

A variance of development standards petition would be necessary when a property owner wants to build something that does not meet standards of the applicable zoning ordinance related to dimensional criteria such as lot size, frontage, access, height, size, setback, parking, loading, open space etc.

### **Process**

The public notice requirement and hearing process for a variance of development standards is the same as that described above for a variance of use.

### **Helpful Hints**

Work with the Department of Metropolitan Development early in the process to determine if you require a variance of development standards.

## A zoning-related process, other than a rezoning or variance, is required

Examples may include special use exceptions for certain industrial-type operations and location-related restrictions related to Historic Preservation Districts or Flood Control Districts.

### Process

Zoning-related processes affect the budget and timeline of a project. Each process varies in cost and time, and public notice and hearings are required. Permits are not issued until the zoning processes have been completed and approved.

### Helpful Hints

Contact the Department of Metropolitan Development-Current Planning Section by calling 327-5155 and ask to speak to the Planner-on-call to determine if your project is properly zoned or if a zoning change or approval is required. Be sure to ask if the type of business requires a special exception as well.

## Prior zoning commitments or conditions have not been fulfilled

### Process

A zoning commitment is an official agreement that is recorded in the Office of the Marion County Recorder. A commitment can be in the form of a restriction on the use of the property such as “no drive-through windows” or to “pave a gravel lot within 6-months of the grant of the petition”. Commitments are enforced by the Department of Code Enforcement on the existing owner and all future owners. In order to correct a violation, the property owner could begin complying with the commitment or the property owner could file an approval petition with the Division of Planning to modify or terminate the commitment at a public hearing. If the approval petition is approved, the violation would be closed.

### Helpful Hints

Commitments can be negotiated with the zoning staff, the board hearing the petition or with a neighborhood organization. The petitioner should give serious thought before agreeing to a commitment. Contact your Mayor’s Neighborhood Liaison (317-327-5014) for information on how to connect with your neighborhood organization.

## Required permits have not been obtained

There are different types of permits that may be required depending on the size, scope and type of work being performed. Both the City of Indianapolis and the State of Indiana require that you obtain a Construction Design Release.

### Impact

Delays are created when permits are submitted sporadically. Delays can create hardships for a company needing to move into a new facility before the lease expires at its current location. Such delays are an inefficient use of the company’s time and money.

### Helpful Hints

To the degree possible, all permit applications (structural, electrical, plumbing, etc.) should be submitted to the City at once. You should also submit your plans to the City when you submit them to the State of Indiana for a Construction Design Release. You do NOT have to wait for a Construction Design Release from the State of Indiana before submitting plans to the City and should submit your plans concurrently to the City and State.

## Drainage plan has not been approved by the City

### **Impact**

Until drainage is approved, no construction permits will be issued. Once reviewed and approved, an approval letter will be issued. If revisions are required, a comment letter will be issued. The length of review often depends on the size and scope of a project.

### **Helpful Hints**

Submit your drainage plans, as well as other permit forms, as soon as possible. You do NOT have to wait for a Construction Design Release from the State of Indiana before submitting plans to the City.

## Structural permit application is incomplete

Structural permit application is incomplete and supporting documentation has not been submitted.

### **Impact**

Incomplete applications and a lack of supporting documents create unnecessary delays. Reviews are billed according to the amount of time spent on the project.

### **Helpful Hints**

The Department of Code Enforcement has developed a checklist to assist both business owners and design professionals. This document, available online at [www.indy.gov/plan](http://www.indy.gov/plan), highlights tips to avoid violations and reduce review time. Also available on the website is helpful information related to review times that may better help you estimate the time it may take for your project to undergo review.

## A zoning-related process, other than a rezoning or variance, is required

Examples may include special use exceptions for certain industrial-type operations and location-related restrictions related to Historic Preservation Districts or Flood Control Districts.

### **Impact**

Zoning-related processes affect the budget and timeline of a project. Each process varies in cost and time, and public notice and hearings are required. Permits are not issued until the zoning processes have been completed and approved.

### **Helpful Hints**

Contact the Department of Metropolitan Development-Current Planning to determine if the business is located in an area that requires an additional zoning-related process. Be sure to ask if the type of business requires a special exception as well.

## You would like to begin construction before permits are issued

### Impact

If construction begins before permits are physically posted, a Stop Work Order will be issued by the Department of Code Enforcement. Work is prohibited until the proper permits are obtained and all permit fees and violation fees have been paid in full.

### Helpful Hints

To ensure that your project moves forward as quickly as possible, contact Develop Indy's Regulatory and Permitting Ombudsman or the Department of Code Enforcement to help you determine the fastest and most efficient method to obtain permits. The Department of Code Enforcement offers an accelerated plan review process that you may find useful. (Accelerated inspections are also available ). Please note that additional fees may be required for these services.

## Easement agreements are required before City permits can be issued

On certain occasions, a company needs to use its own property or another landowner's property to connect to a sewer, and an easement agreement is required. Easement agreements are also needed to dedicate streets and sewers to the City.

### Impact

Easement agreements must be legally recorded with the Marion County Recorder's Office. In terms of timing, the most unpredictable aspect of easements involve negotiations with private property owners.

### Helpful Hints

Determine if easements will be required for your project by contacting the Department of Code Enforcement's Bureau of License & Permit Services-Infrastructure staff. Begin negotiations as early as possible with private property owners.

## Proposed project is located in an atypical zoning district

Examples may include construction projects located in a Historic District, Regional Center or another atypical zoning district.

### Impact

If construction begins without the necessary additional reviews from the applicable city divisions, additional fines may be levied and work you've completed may need to be rebuilt or removed.

### Helpful Hints

To ensure the project you're working on is not in a historically designated district, regional center or another atypical district, contact the Department of Code Enforcement and discuss your project with a reviewer. Many scopes of work are exempt from these additional approvals; however, even minor scopes of work that are exempt from permitting may not be exempt from Indianapolis Historic Preservation Committee (IHPC) or Regional Center approval.

## Types of Permits Typically Required

The Bureau of License and Permit Services of the Department of Code Enforcement grants a number of development related permits and licenses. Some of these may be required for the drainage, transportation and flood design during projects. Others may be required during the development of subdivisions, and for non-residential and residential projects within Marion County. Licensing may be required to legally operate many businesses, including but not limited to hotels, towing and taxis. Contractors' licenses are also obtained through this bureau. Remember that work must be performed by a licensed/listed/registered contractor. Contact the Department of Code Enforcement for details.

## Methods for Obtaining Permits

Permits may be obtained through multiple avenues, depending on the permit type. Many permits can be obtained in person, while others may only be submitted through mail, courier or by drop-off. Contact the Department of Code Enforcement directly for more information on how to submit for a specific permit type.

Remember that the applicant is responsible for complying with all permit requirements and paying any fees associated with any permit application, regardless of the method of submission.

## Expiration of Permits and Submittal of Completion Cards

Permit expirations can vary depending on the type of permit obtained. See the specific validity parameters for each permit in the "Permit Types" section on the following pages.

Completion cards are required to be submitted for the following permit types: structural, wrecking, electrical, heating and cooling and plumbing. The completion card signifies that the work is complete and initiates the final inspection. It also permanently closes the permit. The completion card should be completed by the contractor and submitted to the Department of Code Enforcement at the conclusion of the work.

If the intended construction never started and/or the project is cancelled, the completion card submittal is still required prior to the permit expiration. The permit holder will indicate on the completion card that work is not complete or has not started, and the permit will be updated and closed. If the applicant would like to resume construction after the permit has been closed, he or she would need to apply for a new permit.

If the intended construction is on hold or delayed, the applicant has the option to extend or renew the permit to keep the permit active. If the applicant is prepared to resume work prior to the permit expiration, he or she may resume work with no additional action needed. Contact the Department of Code Enforcement to find out how to renew or extend a permit.

If the completion card is not submitted and the permit expires, an administrative fee will be assessed to the permit holder every 30 days until it is received or until the permit is renewed.

Completion cards can be submitted via email to [completioncards@indy.gov](mailto:completioncards@indy.gov), in person, by mail or faxed to 317-327-8475.



**Drainage** - In order for the City of Indianapolis to protect the safety, health, and general welfare of its citizens, it is important for land alterations to be compliant with standards and practices that result in proper stormwater drainage and sediment control. When developers, builders, engineers, contractors, and property owners are compliant with set requirements, these goals are achieved. By applying and being approved for a Stormwater Permit, the applicant has agreed to comply with set requirements. Once a review is complete, a Notice of Drainage Approval is issued. An applicant has up to one year after the approval is issued to obtain a permit and begin work. Once the drainage permit has been issued, the permit is valid for six months.

**Driveway** - The City of Indianapolis, by law, has jurisdiction over all public thoroughfares in Marion County except those roads which are under the jurisdiction of the Indiana State Highway Commission and the excluded cities. Therefore, in order to properly operate these thoroughfares, a definite policy on Access Control has been developed for obtaining permits for the construction of driveways and approaches. Once a review is complete, a Notice of Driveway Approval is issued. An applicant has up to one year after the approval is issued to obtain a permit and begin work. Once the driveway permit has been issued, the permit is valid for six months.

**Electrical** - As stated in the Revised Code of the Consolidated City and County, Sec. 536-201, any construction activity related to an Electrical Power Distribution System requires a permit, with the exception of the following activities:

- Replacement of an attic fan, bathroom exhaust fan, range hood exhaust fan or whole house fan
- Installation of a single-phase electric circuit not exceeding sixty (60) amperes at a nominal 120/240 volts which involves the installation, modernization, replacement, service or repair of a heating system, space heating equipment, cooling system, space cooling equipment, a water heater or a food waste disposer for which a building permit has been issued
- Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, microwave ovens, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors when such installation does not include the installation of an electrical circuit

Electrical permits are valid for six months.

Contact the Department of Code Enforcement to find out who is eligible to apply for electrical permits.

**Encroachment License** - Encroachment licenses may be required if proposed construction or a proposed structure is located within the City's right-of-way or in an easement.

**Heating and Cooling** - As stated in the Building Standards and Procedures, Sec. 536-201, any construction activity related to a heating, venting, air conditioning, or refrigeration system requires a permit, with the exception of the following activities:

- Replacement of a water heater with one (1) that is identical as to venting arrangement and type of fuel or energy input
- Extension of heating or cooling duct work

Heating and Cooling permits are valid for six months. Contact the Department of Code Enforcement to find out who is eligible to apply for heating and cooling permits.

**Improvement Location** - No structure shall be located, erected, altered or repaired upon any land within Marion County, Indiana, until an Improvement Location Permit has been applied for by

the owner (or authorized agent) thereof and issued by the Department of Code Enforcement, unless specifically exempted. Improvement location permits are valid for two years.

**Plumbing** - As stated in the Building Standards and Procedures, Sec. 536-201, any construction activity related to a plumbing system requires a permit, with the exception of the following activities:

- Initial connection or reconnection of plumbing to a mobile home not placed on a permanent foundation located in a mobile home park licensed by the Indiana State Department of Health
- Replacement of appliances, fixtures, traps and valves in a plumbing system
- Replacement of a water heater with one (1) that is identical as to venting arrangement and type of fuel or energy input

Replacement of piping in a plumbing system when the replacement piping is of the same material, meets the same performance specifications, has the same capacity as the piping being replaced and not more than twenty (20) percent of all piping in the structure is replaced.

Plumbing permits are valid for six months.

Contact the Department of Code Enforcement to find out who is eligible to apply for plumbing permits.

**Right of Way** - Any occupation or excavation of the public right of way, such as streets, alleys, and sidewalk areas, requires a permit and inspection. The Regulations of Activities in the Public Right of Way defines the requirements for permits, inspections, traffic control, and restoration standards for excavations.

The expiration of a right of way permit is specific to the length of time requested and approved on the application.

**Sign** - Depending on what type of signs are proposed, permits may be required before installation occurs. However, permits are not required for routine maintenance or changing of the parts or copy of a sign for which a Sign Permit (SGN) has previously been issued, including changing a sign face; providing that the maintenance or change of parts or copy does not alter the surface area, height, or otherwise render the sign nonconforming, or increase the existing degree of nonconformity.

Additional sign permits may also be required from any of the following Excluded Cities within Marion County: Beech Grove, Lawrence, Speedway and Southport. Contact information for each of these cities is available in this document.

**Structural** - Structural permits are the way the City of Indianapolis and the Department of Code Enforcement regulate construction and ensure that all construction in the city is safe. There are also federal, state and local laws that govern construction in specified areas, such as those in historic preservation districts, well-field protection areas, and flood plain development. To view a complete copy of the building code, please visit the State of Indiana's website listed in this document.

Structural permits are valid for six months.

**Wrecking** - Wrecking permits must signed by the title holder of the property and obtained by either the property owner, general contractor or wrecking contractor. In certain situations, a wrecking contractor is the only party who can obtain a wrecking permit.

Residential wrecking permits are only valid for 30 days; non-residential wrecking permits are valid for 60 days

*NOTE: Permit fees are developed using an actuarial model. Each permit fee reflects the true cost of administering the permit and performing the associated inspection.*

**Develop Indy**

Develop Indy, a business unit of the Indy Chamber, is Marion County's local economic development organization. Indianapolis Economic Development is dedicated to attracting new businesses, retaining and expanding existing businesses and serving as a catalyst for capital investment and quality job growth in Indianapolis/Marion County. (317) 808-3232 [www.developindy.com](http://www.developindy.com)

**Department of Metropolitan Development - Current Planning**

Current planning handles zoning and land use petitions for Indianapolis-Marion County. (317) 327-3698  
Planner on call: (317) 327-5155  
[www.indy.gov/dmd](http://www.indy.gov/dmd)

**Department of Code Enforcement**

The Department of Code Enforcement is responsible for effective licensing, permitting, inspection, enforcement, and abatement practices, as well as local government oversight of property use/safety and maintenance, business, event, professional, and construction industries. (317) 327-8700 [www.indy.gov/dce](http://www.indy.gov/dce)

**Department of Public Works**

The Department of Public Works maintains public infrastructure, manages municipal solid waste collection and ensures a healthy, safe and natural environment. (317) 327-4000 [www.indy.gov/dpw](http://www.indy.gov/dpw)

**Marion County Public Health Department**

The Marion County Public Health Department promotes and protects the health of everyone in the community. (317) 221-2000 [www.mchd.com](http://www.mchd.com)

**Mayor's Action Center (MAC)**

The Mayor's Action Center is a tool for citizens to report problems or request city services. (317) 327-4622 [www.indy.gov/mac](http://www.indy.gov/mac)

**Indianapolis Historic Preservation Commission**

The Indianapolis Historic Preservation Commission (IHPC) exists to preserve the character and fabric of historically significant areas and structures for all present and future citizens of Marion County. (317) 327-4406  
[www.indy.gov/egov/city/DMD/IHPC/Pages/home.aspx](http://www.indy.gov/egov/city/DMD/IHPC/Pages/home.aspx)

**Marion County Recorder's Office**

The Recorder's Office makes all recorded documents a matter of public record, files Uniform Commercial Code Instruments, supplies copies of any instrument and certifies to those recorded upon request and provides public access to all recorded documents. (317) 327-4020 [www.indy.gov/recorder](http://www.indy.gov/recorder)

**Marion County Assessor's Office**

The Marion County Assessor's Office locates, identifies, and appraises all taxable property accurately, uniformly, and equitably in accordance with Indiana law. (317) 327-4907 [www.indy.gov/assessor](http://www.indy.gov/assessor)

**Business Ownership Initiative**

A division of the Indy Chamber, BOI is devoted to helping people to start or grow a business. (317) 917-3266 [www.businessownership.org](http://www.businessownership.org)

**Indiana Secretary of State**

Present responsibilities include chartering of new business, regulation of the securities industry, oversight of state elections and working closely with vehicle dealerships throughout Indiana. (317) 232-6531 [www.in.gov/sos](http://www.in.gov/sos)

**Indiana Department of Environmental Management**

IDEM's mission is to implement federal and state regulations to protect human health and the environment while allowing the environmentally sound operations of industrial, agricultural, commercial and government activities vital to a prosperous economy. (317) 232-8603 [www.in.gov/idem](http://www.in.gov/idem)

## Excluded Cities

### Indiana Department of Homeland Security - Division of Fire and Building Safety

The IDHS Division of Fire and Building Safety investigates suspicious fires, promotes prevention, administers building plan review, enforces fire and building safety codes in all public buildings, regulates and coordinates emergency services, emergency medical services and hazardous material response and oversees and conducts inspections of child care facilities, boilers and pressure vessels, elevators and amusements.

(317) 232-1402 [www.in.gov/dhs](http://www.in.gov/dhs)

### Indianapolis Power and Light Company

IPL provides retail electric service to more than 470,000 residential, commercial and industrial customers in Indianapolis and other central Indiana communities.

(317) 261-8222 [www.iplpower.com](http://www.iplpower.com)

### Citizen's Energy Group

Provide services related to gas, water, sanitary sewers and thermal energy.

[www.citizensenergygroup.com](http://www.citizensenergygroup.com)

### Municode

Current copy of the Revised Code of Indianapolis/Marion County.

[www.municode.com](http://www.municode.com)

### Permit and Case Research

Research permits and enforcement cases within the Department of Code Enforcement

[www.indy.gov/dce](http://www.indy.gov/dce)

Building permits and inspections for any of the excluded cities/towns are administered by that city/town. Building permits include, but may not be limited to: structural, electrical, plumbing, heating and cooling and wrecking. Zoning related permits and inspections are administered by the City of Indianapolis, Department of Code Enforcement. Some zoning related permits are issued by both the Department of Code Enforcement and the applicable Excluded City.

Contact both the Department of Code Enforcement and the applicable Excluded City for additional information on specific permit requirements.

#### City of Beech Grove

(317) 788-4977

[www.beechgrove.com](http://www.beechgrove.com)

#### City of Lawrence

(317) 545-6191

[www.cityoflawrence.org](http://www.cityoflawrence.org)

#### City of Southport

(317) 610-6496

<http://southport.in.gov>

#### Town of Speedway

(317) 246-4111

[www.townofspeedway.org](http://www.townofspeedway.org)