

11.15.8715

Land Use Permits

- (A) Before any change in the use of land or a structure is made, the owner or owner's agent shall obtain a land use permit from the Department of Environmental Services. Such permit shall be issued only if the proposed use complies with the provisions of this Chapter and any other applicable statute, ordinance, code, regulation or rule.
- (B) In cases where a building permit is required under the Building Code, it shall be deemed to be a Land Use Permit.
- (C) The term change in use of land or structure is defined as any change from a specific use, as for example, a grocery store, to any other specific use, as for example, a restaurant, if the uses are subject to different restrictions in whole or in part under this Chapter.

11.15.8720

Historical Structures and Sites Permits

The following requirements and procedures shall apply in addition to the provisions of the State Building Code, to a permit application under MCC 9.10.030, Building Code, concerning any historical landmark as defined in MCC .6152, or any building structure or premises classified HP under MCC .6500 or catalogued as a historic site or structure under the Historic Features Section of the Comprehensive Framework Plan.

- (A) In addition to the other applicable provisions of this Chapter, approval of a building permit to enlarge, alter, repair, improve or convert a building or structure described in this section or to erect, construct, locate or relocate a building or structure on any premises so described, shall also be subject to the applicable design review provisions of MCC .7805 through .7865.
- (B) In addition to the final design review criteria listed in MCC .7850 and the standards and exceptions of MCC .7855 and .7860, approval of a final design review plan for a building or structure described in this section shall be based on the following criteria:
  - (1) The appearance as to the design, scale, proportion, mass, height, structural configuration, materials, architectural details, texture, color, location and similar factors shall relate harmoniously with the historical characteristics of the premises and of any existing building or structure, consistent with Building Code requirements.
  - (2) The factors listed in subpart (B)(1) which have previously been changed and which significantly depart from the original historical character of the premises, building