

Development Plan Application

Project Name: _____

Project Address or Parcel ID: _____

APPLICANT OR APPLICANTS: (PLEASE PRINT)

ADDRESS:

PHONE: _____

ADDRESS:

PHONE: _____

ENGINEER OR SURVEYOR: _____

REGISTRATION NUMBER: _____

ADDRESS: _____

PHONE: _____

The undersigned, being the owner or owners of record, certify/certifies that the above information is true and correct to the best of my/our knowledge.

Name

Date

**** PLEASE RECEIPT TO ACCOUNT: 101.2101 Permit Fee Amount: _____**

Office Use Only

DDP-_____-_____
CASE Number: _____ Hearing Date: _____

Approved _____ Date: _____ Denied _____ Date: _____ Tabled _____ Date: _____

Development Plan

A. Applicability:

1. *Zoning Districts*: This process applies to the following zoning districts:

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 final subdivision 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 property owners within 300 feet of the boundary of the proposed site shall be provided by the applicant. The measurement shall include any property that is wholly or partially within the 300 foot boundary regardless if a street, river, railroad, or other physical barrier exists. This information may be obtained from the Steuben 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, driveway, etc.).
 - 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 DBH.

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 thirty (30) feet of a floodplain or wetland.

v. Denotation of adjacent zoning districts if different than the subject parcel.

vi. Certification by a licensed engineer or surveyor that the soils are suitable to support the weight of the structure, and any foundation modifications necessary to support the weight of the structure.

vii. Location of existing or proposed drainage tile.

viii. Denotation of where utilities lines will be run to the building and whether they are above or below grade.

ix. Location of a septic system, reserve area for a replacement septic system, well, geothermal loop, or other on-site utility system.

x. Denotation of any existing structure on adjacent parcels if within 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 this Unified Development Ordinance. This may include the supporting information listed in *Subsection 9.11(D)(2)(i)*. for projects within the WH-O 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, driveway, etc.).

iii. Denotation of existing mature trees, greater than nine (9) inches in DBH.

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 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.

5. *Deadline*: Eight (8) hard copies of the application for Development Plan approval; eight (8) 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*: The applicable fee from the City's fee schedule shall be paid at the time the application for Development Plan approval is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Development Plan that the City of Angola does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

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 Advisory Committee and/or the Building Department, Engineering Department, Fire Department, Police Department, Department of Public Works, Steuben 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 Advisory 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 U.S. 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 address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the application for Development Plan approval.

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 Advisory Committee, and/or other applicable department or agency.
- e. Input from the public during the public hearing.
- f. Any applicable provisions of this Unified Development Ordinance.
- g. Any applicable requirements of the City of Angola'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 this Unified Development Ordinance or City of Angola's Construction Standards with which there is not compliance.

i. The Development Plan is consistent with the City of Angola Comprehensive Plan.

ii. The Development Plan does not cause a hazard or unsafe conditions for drivers on the existing or proposed streets, or at points of access (e.g. driveways) to perimeter streets.

iii. The Development Plan does not cause existing or proposed streets to exceed their capacity or cause traffic congestion.

iv. The Development Plan dedicates the necessary right-of-way for future expansion of perimeter roads as indicated in the Thoroughfare Plan.

v. The Development Plan creates a safe environment for pedestrians to safely move about the development and to connect to perimeter pedestrian facilities.

vi. The Development Plan arranges buildings and structures appropriately for function and aesthetic appeal.

vii. The Development Plan is compatible with surrounding uses, buildings, and zoning districts; or is designed to effectively and appropriately buffer or transition to uses, buildings or zoning districts to which it is in conflict.

viii. The Development Plan satisfies the applicable development standards of *Article 02: Zoning Districts*.

ix. The Development Plan satisfies the applicable development standards of *Article 05: Development Standards*.

x. The Development Plan satisfies the applicable design standards of *Article 07: Design Standards*.

xi. The Development Plan satisfies all other applicable provisions of this Unified Development Ordinance.

xii. The Development Plan satisfies the construction requirements of the City of Angola'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. Filing Requirements Prior to Occupancy:

1. *Application*: The applicant shall submit a letter stating the status of infrastructure improvements and requesting certification of completion from the Zoning Administrator.
2. *Supporting Information*: The following information shall accompany the applicant's letter requesting certification of completion from the Zoning Administrator.
 - a. Accurate location of all survey monuments and markers, if applicable.
 - b. If infrastructure improvements are complete, the supporting information shall include as-built drawings stamped by a certified engineer for 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 surety for the total amount of the infrastructure improvements yet to be completed plus twenty-five percent (25%).
 - 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.

G. 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.