



TYPE B DEVELOPMENT

APPLICATION & REVIEW PROCEDURES

3.17 Multi-Family, Commercial, and Industrial Development Plans

3.17.1 Intent, Applicability, and Development Plan Types

A. Intent

These procedures are intended to create a formal process for making an application for approval of a development plan for property located in the City of Douglas and to establish criteria to be used in processing and approving such applications.

B. Applicability

The planning and construction of multi-family, commercial, and industrial developments, including planning and construction of expansions to such developments by twenty-five percent (25%) or more of the approved square footage, shall require prior approval of a development plan.

C. Development Plan Types

There are three types of development plans: Type A, Type B, and Type B-LSR. The requirements for each type are described in detail below.

3.17.2 Application Submittal Requirements

A. Application Fee and Form

All Type A, B, and B-LSR Development Plan applications shall include payment of the associated application fee, as outlined in Appendix B of this Code, and a completed development plan application form. The development plan application form shall, at a minimum, include the following:

- Name, address, telephone number, and email address of the applicant; if the applicant is a legal entity, the principal officer or partners thereof shall be similarly identified, as well as the applicant's authorized agent representing the applicant in the matter;
- Name, address, telephone number, and email address of the plan preparer(s), architect(s), and/or engineer(s) of the proposed development, if different from the applicant;
- Legal description and ownership of the subject property;
- Copies of all easements and covenants recorded against the subject property;
- Current use and zoning of the subject property;
- A description of the proposed development, including, but not limited to, proposed use, proposed structures and improvements, hours of operation, number of employees, number of multi-family units and density, total commercial and industrial square footage, and any other information pertinent to the proposed development application.

B. Site Plan Map Requirements

All development plan applications shall include a site plan map. The site plan map shall indicate the following:

- Verification of physical location of property corner pins or survey and setting of property corners by a land surveyor licensed in the State of Wyoming;
- The proposed use of all areas of the site, including areas that are to be used for borrow pits or where there will be any change to the natural topography of the property;
- The location of structures and their proposed uses;

- The location of all areas designated for parking, loading, solid waste container storage, landscaping, outside storage, open space, on-site vehicular drive aisles and circulation, and on-site pedestrian sidewalks and pathways;
- A notation stating that “All necessary drainage and utility easements serving this development have been provided”;
- The location of all proposed drainage improvements and all existing and planned natural drainage ways;
- The location of all existing and proposed points of ingress and egress, including access points for emergency vehicles and personnel, to the site and the location and identification of any physical barriers restricting ingress and egress; and
- The location of all proposed drainage improvements and all existing and planned natural drainage ways;

C. Additional Requirements

In addition to the requirements above, an application for approval of a development plan shall also include the following:

- A full drainage report may be required pursuant to Section 5.3 of this Code;
- Building blueprints and/or drawings;
- Street, sewer, or water line specifications as required by the City Engineer;
- A landscaping plan meeting the standards of Chapter 5. The plan may be included on site plans, or the applicant may submit three (3) sets of landscape plans in paper copy format and one (1) electronic plan in .pdf or .dwg format. In addition to meeting the standards of Chapter 5, all landscaping plans shall contain:
 - a. A scale acceptable to the Community Development Director (preferred: one (1) inch equals ten (10) feet, or larger);
 - b. Property lines;
 - c. Dimensions;
 - d. Structures;
 - e. Irrigation systems, if applicable;
 - f. Use of existing natural features;
 - g. Plans and seed mix for areas of reseeded;
 - h. Erosion control plan; and
 - i. Grading plan.

3.17.3 Type B Development Plan Procedures

Approval of a Type B Development Plan application is required for development projects having a value of more than seven hundred fifty thousand dollars (\$750,000) or that are five thousand (5,000) square feet or larger. The process for review and approval of a Type B Development Plan application shall be as follows:

A. Pre-Application Conference

A pre-application conference with the City Community Development Director or his/her designee may be required, at the discretion of the Community Development Director, prior to making a formal application for approval of a Type B Development Plan. The purpose of the pre-application conference is to work with the Community Development Department to identify any major issues or potential problems that may arise during the process of developing a particular piece of property. The conference should also serve as an initial collaboration with City staff to begin developing appropriate strategies for mitigating and/or offsetting the impacts of the development and any identified major issues or problems.

B. Application

Type B Development Plan applications shall be submitted to the Community Development Department in electronic format and in hard copy, including one (1) copy of the plan at a size of 24" x 36", and shall comply with the zoning and development standards of Chapters 4, 5, and 6 of this Code, which are generally referred to on the Site Plan Application Form and Checklist. All Type B Development Plans shall be stamped by a Wyoming Engineer and a Wyoming Architect prior to submittal and review by the Community Development Department.

C. Application Submittal, Cursory Completeness Review, and Referral Procedures

All Type B Development Plan applications shall be submitted to the Community Development Department for review pursuant to the requirements established by the Department at or following the pre-application meeting.

The Community Development Department shall conduct a cursory completeness review at the point of intake to ensure that all applications include the appropriate documentation prior to formal acceptance. If an application is determined to be complete, the Department shall accept the application and distribute it for review by appropriate internal City reviewers and applicable external review agencies. If an application is determined to be incomplete, the Department shall notify the developer of the deficiencies of the application and the developer shall be responsible for rectify all deficiencies prior to attempting resubmittal of the application for formal acceptance.

D. Technical Review and Resubmittal Procedures

The review and referral period for a Type B Development Plan application depends on the complexity of the application and the workloads of the respective reviewers.

Following the review and referral period, the Community Development Department shall provide the applicant with all comments from the Community Development Department, other internal City reviewers, and the applicable external review agencies. It shall be the applicant's responsibility to review all comments and provide revisions to the application, including supporting documentation.

Upon resubmittal of the application and supporting documentation, the Department shall re-distribute the materials for review to all agencies having unresolved issues following the initial review. The re-review and re-referral period depends on the complexity of the application and the workloads of the respective reviewers. If the applicant is unable to resolve all outstanding technical issues associated with the application following review of the resubmittal, then additional resubmittals and re-reviews may be required and shall generally follow the same procedure as identified above.

E. Determination of Technical Completeness and Scheduling for Hearing

The Community Development Department shall make a determination of technical completeness for a Type B Development Plan application once the applicant has adequately addressed all outstanding issues and shall schedule the application for the next available Planning and Zoning Commission hearing.

F. Published and Mailed Notice Requirements for Hearings**i. Published Notice**

At least seven (7) calendar days prior to Planning and Zoning Commission review of a Type B Development Plan application, the Community Development Department shall cause notice to be published in a newspaper of general circulation. The notice shall indicate the date, time, and location of the Planning and Zoning Commission hearing. The notice shall also indicate the date, time, and location of the City Council hearing and include the language "or as soon thereafter as possible." The notice shall include a brief summary of the Type B Development Plan application, including, but not limited to, the legal description of the subject property and a description of the proposed uses. The applicant requesting approval of the Type B Development Plan application shall pre-pay the City for the cost of providing the required published notice.

ii. Mailed Notice

At least seven (7) calendar days prior to Planning and Zoning Commission review of a Type B Development Plan application, the Community Development Department shall mail legal notice of the hearing by first-class mail to all property owners within one hundred and forty (140 feet), excluding streets and alleys, of the property that is proposed for approval of the Type B Development Plan application of the Planning and Zoning Commission and City Council hearings. The notice shall indicate the date, time, and location of the Planning and Zoning Commission hearing. The notice shall also indicate the date, time, and location of the City Council hearing and include the language “or as soon thereafter as possible.” The notice shall include a brief summary of the Type B Development Plan application, including, but not limited to, the legal description of the subject property and a description of the proposed uses. The applicant requesting approval of the Type B Development Plan application shall pre-pay the City for the cost of providing the required first class mailed notice.

G. Approval Criteria and Public Hearings

a. Approval Criteria

In approving a Type B Development Plan application, the following shall be found:

- i. The proposed development plan is consistent with the City Master Plan, as amended;
- ii. The proposed development plan is in compliance with the requirements of this Code;
- iii. The proposed development plan is in compliance with the design and layout of any applicable sketch plan, planned unit development, preliminary plat, and/or final plat approvals, as applicable, including any conditions and/or required modifications thereto; and
- iv. The proposed development plan is in compliance with State law.

b. Planning and Zoning Commission Hearing

The Planning and Zoning Commission shall evaluate the Type B Development Plan application subject to the review criteria of this section and shall take one of the following actions:

- i. Recommend to the City Council that the application be approved;
- ii. Recommend to the City Council that the application be approved with specific conditions or modifications;
- iii. Recommend to the City Council that the application be denied based upon failure to comply with the specific review criteria of this section;
- iv. Continue the Type B Development Plan application to collect additional information pertinent to compliance with the specific review criteria of this section. Upon an action to continue, the Community Development Department may elect to provide new posted and published notice. Under no circumstances shall continuance of an application occur more than once without the applicant’s consent and no single continuance action may result in more than a 60-day delay without the applicant’s consent.

c. City Council Hearing

The City Council shall evaluate the Type B Development Plan application subject to the review criteria of this section and shall take one of the following actions:

- i. Approve the application;
- ii. Approve the application with specific conditions or modifications;
- iii. Deny the application based upon a failure to comply with the specific review criteria of this section;
- iv. Continue the Type B Development Plan application to collect additional information pertinent to compliance with the specific review criteria of this section. Upon an action to continue, the Community Development Department may elect to provide new posted and published notice. Under no circumstances shall continuance of an application occur more

than once without the applicant's consent and no single continuance action may result in more than a 60-day delay without the applicant's consent.

H. Post Hearing Requirements

a. Technical Review of the Development Plan

If the Type B Development Plan application is approved by the City Council, then a complete review of all plans shall be performed by the City Building Official, City Engineer, State Fire Marshal, and State Electrical Inspector prior to issuance of a zoning certificate and a building permit.

b. Bi-Monthly Meeting

The developer of a Type B development shall conduct on-site meetings twice per month with the City Building Official, or his or her designee, until achieving substantial completion of the project.

c. Addition Review and Management Fees

Additional fees shall be assessed to offset the ongoing cost to the City of Douglas in reviewing and managing Type B development projects. The additional fee rate shall be as indicated in the Fee Schedule located in Appendix B of this Code.