

## APPLICATION FOR TYPE III DSI SITE PLAN REVIEW

A Development of Significant (DSI) Impact is any proposed development whose characteristics warrant a more in-depth review by the Morgantown Planning Commission in order to mitigate the negative impact these characteristics may have on surrounding land uses in particular and on the surrounding neighborhood in general. Developments of Significant Impact (DSI) are those that have a Citywide or regional impact. Such impact could involve the transportation network, environmental features such as parks or stream corridor, local schools, etc. Such developments could include large-scale residential, commercial, or mixed-use developments, employment centers, regional shopping centers, industrial and/or manufacturing, and extractive industry. Any proposed residential or non-residential development that meets or exceeds any of the following criteria shall be determined to be a Development of Significant Impact (DSI) and will require a complete development plan to be submitted and reviewed by Planning Division staff and the Planning Commission.

**Check below the following applicable Land Use Category**

**Fee: \$500.00 [Z-S]**

Land Use Category	Development of Significant Impact (DSI) Thresholds
<b>Development in the B-4 District</b>	
All Land Use Categories	New construction of a principal structure, regardless of land use category or net acreage of the site.
Residential	A development that is 12 or more dwelling units.
Non-Residential	A development that is either 10,000 square feet or more of gross floor area or a site of one-half (1/2) acre or more of net acreage.
Mixed-Use	A development that exceeds any of the following: 10,000 square feet or more of gross floor area of non-residential use(s); or, 12 or more dwelling units; or, one-half (1/2) acre or more of net acreage.
Industrial	All industrial development, regardless of gross floor area or net acreage of the site.
<b>Development in all other Zoning Districts</b>	
Residential	A development that is 12 or more dwelling units.
Non-Residential	A development that is either 15,000 square feet or more of gross floor area or a site of 2 acres or more of net acreage.
Mixed-Use	A development that exceeds any of the following: 15,000 square feet or more of gross floor area of non-residential use(s); or, 12 or more dwelling units; or, 2 acres or more of net acreage.
Industrial	All industrial development, regardless of gross floor area or net acreage of the site.

Finance Rev'd



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(PLEASE TYPE OR PRINT IN INK)

I. APPLICANT			
Applicant Name:		Phone:	
Mailing Address:	Street		
	City	State	Zip
	Email:		
Is the Applicant the Owner of the real estate that composes the development site?      Yes      No			
If no, provide the following information for the Owner of the real estate that composes the development site.			
Owner Name:		Phone:	
Mailing Address:	Street		
	City	State	Zip
	Email:		
II. AGENT / CONTACT INFORMATION			
Name:		Phone:	
Mailing Address:	Street		
	City	State	Zip
	Email:		
Send all correspondence to (check one):      Applicant      OR      Agent/Contact			
III. DEVELOPMENT SITE			
Street Address (if assigned):		Zoning:	
Tax Map(s) #:		Parcel(s) #:	
Development Site Area:		square feet	acres
Proposed Use of Structure of Land:	Residential Only	Mixed-Use (residential and nonresidential)	
	Non-Residential Only	Industrial	

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<b>IV. STRUCTURE</b>		
<b>RESIDENTIAL USES</b>		
Total No. of Structures: _____ Total No. of Dwelling Units: _____ Total No. of Occupants: _____		
<b>NON-RESIDENTIAL USES</b>		
Total No. of Structures: _____		Total No. of Tenant Spaces: _____
Total Gross Floor Area (GFA): _____		Total No. of Employees: _____
<b>INDUSTRIAL USES</b>		
Total No. of Structures: _____		Total No. of Tenant Spaces: _____
Total Gross Floor Area (GFA): _____		Total No. of Employees: _____
Proposed Height of Structure(s): _____ Feet		No. of Stories: _____
Total No. of On-Site Parking Spaces: _____ Standard: _____ Compact: _____ Accessible: _____		
<b>V. SITE PLAN REQUIREMENTS</b>		
<p>All applications for Type III Development of Significant Impact Site Plan Review must be accompanied by complete and accurate site plan drawings/exhibits that meet the requirements set forth in the Planning and Zoning Code. <b>Addendum A</b> of this application provides a checklist for these requirements. Failure to submit all required site plan drawings/exhibits will result in an incomplete application determination and likely delay in the scheduling of a hearing with the Planning Commission.</p>		
<b>VI. ATTEST</b>		
<p>I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction and certify that the property owners, if applicable, will conform to all such laws and that I have the authority to bind the owner to this commitment. I certify that the information submitted herein and attached hereto is true and accurate and understand that if found otherwise may result in the denial of this request or subsequent revocation of any and all related approvals. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions.</p>		
_____	_____	_____
<b>Type/Print</b> Name of Applicant/Agent	<b>Signature</b> of Applicant/Agent	<b>Date</b>

**Applicants will be advised of the Technical Review Team meeting date/time if not already held.**

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## ADDENDUM A

### SITE PLAN SUBMISSION REQUIREMENTS AND CHECKLIST

All applications for a Development of Significant Impact (DSI) shall be accompanied by site and development plan drawings submitted under the seal and signature of a registered design professional licensed by the State of West Virginia and as authorized by West Virginia State law.

All sheets shall be 24" x 36" size drawn to scale at a minimum 1"=50' and a maximum 1"=10' with the exception of the maps on Sheet One, unless otherwise approved by the City Engineer.

Three (3) full-scale sets of the site plan drawings shall be submitted for review, along with one (1) exact digital file in the most current version of Adobe Acrobat Portable Document Format (PDF). All drawings and sheets shall observe the following format. Failure to follow the format and/or provide required information will result in an incomplete application determination and likely delay in scheduling a hearing with the Planning Commission.

**SHEET ONE – Title Sheet.**

- Full legal description with sufficient reference to section corners and boundary map of the subject project, including appropriate benchmark references.
- Name of the project.
- Name and address of the owner, developer, and person who prepared the plans.
- Total acreage within the project and the number of residential dwelling units and/or the gross square footage of non-residential buildings whichever is applicable.
- Existing zoning of the subject land and all adjacent lands.
- Boundary lines of adjacent tracts of land, showing owners of record.
- A key or vicinity map at a scale of one inch equals four hundred feet or less, showing the boundaries of the proposed project and covering the general area within which it is to be located.
- A statement of the proposed uses, stating the type and size of residential and non-residential buildings, and the type of business, commercial or industry, so as to reveal the effect of the project on traffic, fire hazards, or congestion of population.
- Any existing or proposed covenants and restrictions affecting property owners and/or homeowners associations.
- Statement of proposed starting and completion dates for the project, including any proposed phasing and sequencing.

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**SHEET(S) TWO – Existing Site Conditions.**

- Location, widths, and type of construction of all existing streets, street names, alleys, or other public ways and easements, street classifications as per the approved regional transportation plan, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the Planning Commission or the Planning Director for the subject land, and within three hundred (300) feet of the proposed project or six hundred twenty-five (625) feet for extractive industry development.
- Existing water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records.
- Existing contours based in U.S.G.S. datum with intervals of not more than two (2) feet. Elevations shall be based on sea level datum.
- The water elevation at the date of the survey of rivers, lakes, streams, or designated wetlands within the project or affecting it, as well as the approximate high and low water elevation of such rivers, lakes, streams, or designated wetlands. The plan shall also show the boundary line of the regulatory 100-year flood. The plan shall also show the base flood elevation of the regulatory 100-year flood at any building location along with the elevation of the lowest finished floor. All elevations shall be based on sea level datum.

**SHEET(S) THREE – Proposed Site Conditions.**

- Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the Planning Commission or the Planning Director for the subject land, and within three hundred (300) feet of the proposed project or six hundred twenty-five (625) feet for extractive industry development.
- Existing and proposed water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records.
- Water Supply Plan. For development that involves the use of water at higher volumes than customarily associated with nonindustrial-type development, the City may require, in coordination with the Morgantown Utility Board, a water supply plan. A water supply plan must include at least the identification of the water source(s); the development and use of freshwater impoundments, if applicable; when and where water withdrawals will occur; necessary operational water volumes; potential competing water users; and, cumulative impact of the development's water consumption to the public water system, watersheds and/or groundwater.

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- Building setback lines, showing dimensions.
- Internal and perimeter sidewalk system/pedestrian circulation plan.
- Proposed contours with intervals of not more than two (2) feet. The plan shall also show the contour line for the floodway fringe boundary. Grading plans and drainage plans and calculations are not required for Planning Commission site plan review, but shall be required prior to issuance of any building permits. Such plans shall be prepared by a registered design professional licensed by the State of West Virginia, and as authorized by West Virginia State law; and shall also meet the City's stormwater management ordinance and all applicable local, state and federal regulations.
- Location and detail plans for all trash dumpsters.
- Location and detail plans for utility and mechanical equipment placed on the ground (e.g. pad-mounted transformers, HVAC units, etc.).
- The number of employees, families, housekeeping units, bedrooms, or rental units the structure(s) is designed to accommodate.
- If applicable, the clear zone for structures similar to silos, grain bins, windmills, chimneys, stacks, spires, flag pole, skylights, derricks, conveyors, cooling towers, observation towers, water tanks, telecommunication facilities, etc. in excess of fifty (50) feet in height.
- SHEET(S) FOUR – Preliminary Landscape Plan and Preliminary Site Lighting Plan.** A preliminary landscape plan prepared to the standards specified in the City's zoning ordinance. A preliminary site lighting plan that includes exterior light fixture details and photometric plans in footcandles.
- SHEET FIVE – Plat-like dedication sheet, if necessary.**
  - Parcels of land proposed to be dedicated or reserved for public use, or reserved for common use of all property owners within the project, with the proposed conditions and maintenance requirements, if any, shall be designated as such and clearly labeled on the plans;
  - Radii, internal angles, points of curvature; tangent bearings and lengths of all arcs, chord, and chord bearings; and
  - Accurate location of all survey monuments erected, corners and other points established in the field in their proper places.
- SHEET(S) SIX – Floor Plans.** Floors plans must illustrate and identify internal and external dimensions, uses, gross floor areas, and include a summary table of residential unit types and/or nonresidential use gross floor areas and any additional information deemed necessary for proper review of the development plan by the Planning Director, City Engineer, or Planning Commission.

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- SHEET(S) SEVEN – Building Elevations.** Elevations of all facades illustrating height of building; top of adjoining finish grade elevation; exterior building components (roof, walls, foundation, etc.); exterior finishes and materials; roof slope or pitch; window types; exterior stairs, landings, guardrails, and handrails; and, any additional information deemed necessary for proper review of the development plan by the Planning Director, City Engineer, or Planning Commission.
  
- SHEET(S) EIGHT – Parking Layout Plan.** Parking layout plan must identify ingress and egress driveway entrance(s) and distances of same from neighboring property boundaries, existing driveway entrances, and intersections; layout of internal roadway; parking stall types, and dimension details for parking stalls and drive aisles; pedestrian circulation plan (if required); and, any additional information deemed necessary for proper review of the development plan by the Planning Director, City Engineer, or Planning Commission.
  
- ALL SHEETS** shall contain the following information:
  - All dimensions shown on plans relating to the size of the lot and the location of the structure(s) thereon be based on an actual survey by a registered land surveyor or registered design professional licensed by the State of West Virginia and as authorized by West Virginia State law, said survey to be provided by the applicant.
  
  - The proposed name by which the project shall be legally and commonly known.
  
  - Date of survey, scale, and north point.
  
  - All lots or outlots intended for sale or lease shall be designated with boundary lines and numbered or labeled for identification purposes.
  
  - Private parks, common areas, or excluded parcels shall be designated as such and clearly labeled on the plans.
  
  - All necessary reference points tying the subject property to the appropriate section corners.
  
  - Each sheet shall be sealed and signed by the professional preparing the drawings.
  
  - All sheets shall be tied to state plane coordinates for horizontal and vertical controls.
  
  - Such other information as may be deemed necessary for proper review of the site plan by the Planning Director, City Engineer, or Planning Commission to determine conformance with and provide for the enforcement of these zoning regulations.

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- TRAFFIC AND ROADWAY IMPACT.** For development which, in the opinion of the City Engineer, may create excessive negative impacts on traffic and/or dedicated City roadways, rights-of-way, or improvements in the immediate vicinity that serve the use, the City may require an analysis of the proposed development's impact on current or future traffic flows and/or dedicated City roadways, rights-of-way, or improvements, at the developer's expense, prepared by a qualified professional engineer. The Planning Commission may also table consideration of a development and refer such development to the City Engineer to ask his or her opinion as to whether a traffic impact study, transportation route plan, and/or transportation route protection agreement may be warranted.
- Traffic Impact Study. If the traffic impact study indicates that the projected traffic impact of the use would result in a two (2) full letter grade decline in the existing Level of Service (e.g., going from a Level of Service B to a Level of Service D) of any dedicated City street directly serving the use, such finding may be considered sufficient grounds for denial of the project, or a requirement that sufficient improvements be made to said streets, at the developer's expense, or that the project be reduced in size and scope to the point where no such negative impact on the Level of Service results. Level of Service refers to the traffic grading system described in the latest edition of the Highway Capacity Manual, published by the Transportation Research Board.
- Approved WV Division of Highways Permit and/or Agreement, if applicable, is not required for Planning Commission site plan review, but shall be required prior to issuance of a building permit. In the event a traffic analysis or traffic impact study is required and the review of same involves WV Division of Highways, written/electronic correspondence from the WV Division of Highways documenting its approval of the traffic analysis or traffic impact study must be presented to the Planning Commission by the applicant prior to DSI site plan approval.
- Transportation Route Plan. A transportation route plan shall include a map of routes and roads for equipment, supplies, chemicals or waste products used or produced by the development. The plan shall include a list of the length of all public roads that will be used for site ingress and egress to Morgantown corporate limits. The map shall also show the location of any areas within the City along the transportation route proposed for truck staging or storage related to the development's operations. The City may restrict the hours of operation of vehicles when the proposed transportation route passes through a designated school zone, heavily used roadways or intersections, or along local residential streets. In the event of construction detours, roadway closure or roadway deterioration along an approved transportation route, the City Engineer may amend the approved transportation route plan.
- Transportation Route Protection Agreement. For development which, in the opinion of the City Engineer may damage or create excessive deterioration to dedicated City roadways, rights-of-way, or improvements, the City may require a transportation route protection agreement. The agreement shall stipulate that the City roadways, rights-of-way, and improvements shall be maintained equal to or better than the original condition; stipulate any required major improvements and restrictions; stipulate the manner in which dirt, dust, mud and debris is to be controlled from leaving the development site; and, required bond. Additional information will be provided to applicants concerning the required provisions and minimum terms should the City Engineer determine that a Transportation Route Protection Agreement will be required.

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**EMERGENCY RESPONSE AND HAZARDOUS MATERIALS PLANNING.**

- Emergency Action Response Plan. For development that involves the use and/or storage of large volumes of highly flammable, toxic matter, or explosive materials, the City may require an Emergency Action Response Plan. Additional information will be provided to applicants concerning required plan elements should the City determine that an Emergency Action Response Plan is required.
- Hazardous Materials Management Plan. For development that involves the use, storage, or generation of hazardous materials and wastes, the City may require a Hazardous Materials Management Plan. Additional information will be provided to applicants concerning required plan elements should the City determine that a Hazardous Materials Management Plan is required.

**OTHER REQUIRED SUBMITTALS.** The applicant shall submit written documentation of the following:

- All applications for a DSI Site Plan shall be accompanied by a list of the property owners' names and addresses located within 200 feet of any property line of the development site, including the owner(s) of the subject development site, as of record in the office of the Monongalia County Assessor. The applicant must also submit the tax map and parcel numbers for the list of properties and a stamped and addressed envelope for each of the names and addresses of the property owners within 200 feet of the site. A return address shall not be affixed to the envelopes.
- Utility encroachment approvals, when applicable and/or required.
- Other local, state, and federal approvals, including other City boards, commissions, or departments, when applicable and/or required.
- Inspection and testing agreements with the Engineering Department, when applicable and/or required.
- Outside reviews as required by the City, when applicable and/or required.
- Easements and rights-of-ways not on a plat-like document shall be submitted in the form prescribed by the Engineering Department and include both a full legal description and a drawing exhibit, when applicable and/or required.
- Erosion and Sediment Control Plan. Prior to the issuance of any permit authorizing any work relating to grading, grubbing, stripping, etc. as defined and regulated by City Code Article 1741 "Grading Requirements" and/or City Code Article 929 "Stormwater Management and Surface Water Discharge Control," an Erosion and Sediment (E&S) Control Plan must be submitted, reviewed, and approved by the City Engineer and the Morgantown Utility Board (MUB). All control plan documents and design details and all measures for soil erosion and sediment control and sequencing of installation must meet or exceed current methods and standards adopted by the City of Morgantown, the Morgantown Utility Board (MUB), and the West Virginia Department of Natural Resources (WVDNR). The City Engineer and/or the Morgantown Utility Board (MUB) has the right to require additional erosion control measures in the field as conditions warrant.

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- REJECTION OF PLANS.** No site plan shall be accepted unless it is complete and is verified as to the correctness of information given by the signature of the applicant attesting thereto. The Planning Division may reject any submittal for the following reasons:
  - Incomplete application.
  - The drawing set or supporting documents are not complete.
  - Poor legibility.
  
- NEIGHBOR NOTIFICATION.** Using the list of the property owners' names and addresses and stamped and addressed envelopes, the Planning Division shall send written notification to property owners within 200 feet of any property line of the development of the time, date and location of the Planning Commission meeting at which the project will be considered.
  
- PLANNING COMMISSION APPROVAL OF DSI SITE PLAN.** Site plans approved by the Planning Commission authorize only the use, arrangement, and construction set forth in such approved site plans and no other use, arrangement or construction. Furthermore, the approval of a site plan shall not be construed to be approval of any violation of the provisions of the Planning and Zoning Code. The issuance of a building permit based upon site plans given approval by the Planning Commission shall not prevent the Planning Division from thereafter requiring the correction of errors in said site plans or from preventing operations from being carried on thereunder when in violation of the Planning and Zoning Code. Site plan approval does not eliminate the need to obtain an approved building permit and the applicant's responsibility to meet all other requirements established by local, state and federal regulations.
  
- RESUBMITTAL OF PLANS.** Should the Planning Commission grant approval of a DSI site plan, the applicant shall submit three (3) complete full-scale sets of the final, revised plans showing conditions required by the Planning Commission and Board of Zoning Appeals, should the site plan require variance and/or conditional use approval and conditions were included therein. One (1) copy of the site plan submitted for building permits shall be returned to the applicant after the Planning Division has marked such copy as either approved or disapproved as to the provisions of the Planning and Zoning Code and any conditions included in such approval by the Planning Commission and, if applicable, the Board of Zoning Appeals, and attested to same by his/her signature on such copy. The original, similarly marked shall be retained by the Planning Division.
  
- DEVIATION FROM THE APPROVED SITE PLAN AND ADDITIONS TO EXISTING STRUCTURES.**
  - If the installation of the elements on the site plan materially deviate from the approved site plan (as determined by the Planning Director or City Engineer), the site plan shall be resubmitted to the Commission or Board for a new site plan approval in accordance with the procedures and requirements for site plan approval. For purposes of this section, material deviation is one that:

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- Adds, removes, or reconfigures an internal street or relocates an access point.
- Affects a condition of site plan approval that was established by the Commission or Board during the site plan approval stage.
- Reduces the area devoted to open spaces or buffer landscaping.
- Involves the enlargement of a nonresidential building footprint on the site due to future additions that are more than ten percent (10%) of the gross floor area or 5,000 square feet, whichever is less.
- Minor changes that do not constitute material deviation shall be reviewed and approved by the City Planning and Engineering staff.
- ELECTRONIC SUBMITTAL OF FINAL PLANS AND OTHER DOCUMENTS.** Final plans or other documents required to be submitted under the Type III DSI Site Plan review that will be archived must be submitted in the most current version of Adobe Acrobat Portable Document Format (PDF) and/or AutoCAD. Electronic submittal of said plans and other documents shall be a condition to issuance of any type of permit, approval, or other action related to the final plans or documents. The Planning Division shall provide a schedule indicating which documents must be provided electronically, at which point during the approval process, and other information as necessary for archiving purposes.
- EXPIRATION DEADLINES.**
  - Approval of site plans shall expire two (2) years from the date of approval if the project has not been completed. The Planning Commission or the Board of Zoning Appeals, at its discretion, may grant extensions for a period up to two (2) years.
  - Bonded improvements must be completed within two (2) years of issuance of land alteration permit.
  - Request for extension must be submitted in writing stating the justification for the extension.

I hereby certify that I have read ADDENDUM A – SITE PLAN SUBMISSION REQUIREMENTS AND CHECKLIST and understand that all applications for Type III Development of Significant Impact (DSI) Site Plan Review must be accompanied by the complete and accurate site plan drawings/exhibits set forth herein. I further understand that failure to submit all required site plan drawings/exhibits will result in an incomplete application determination and likely delay in the scheduling of a hearing with the Planning Commission.

_____	_____	_____
<b>Type/Print Name of Applicant/Agent</b>	<b>Signature of Applicant/Agent</b>	<b>Date</b>