GROWTH ACTION NETWORK

Land Wise - Future Strong

Council considering streamlining development process



Bill 70-26. CONCEPT PLAN OPTION INSTEAD OF SITE OR PRELIMINARY PLAN

Bill 70-26 creates an optional approach to development intended to streamline the development application process by allowing the developer to submit a “Concept Plan” that includes the environmental features of a development site and stormwater management plans. There would not be any decisions made by OPZ during this process, but it allows a developer to determine if the site can be developed in the manner they would be proposing. After discussing the Concept Plan with OPZ and receiving feedback on the Concept Plan the developer would then submit a final plan with all required information including location of structures and roads/parking, traffic study results, plus the environmental and stormwater management from the Concept Plan. The tests for Adequate Public Facilities (APF) for schools and transportation would be done during this process, and OPZ will evaluate the need for any requested modifications to the requirements in the code.

Bill 70-26 needs significant revision because it replaces, at a minimum for a subdivision, a detailed, code-anchored Sketch Plan review process with one that has almost no fixed content, no fixed timeline, and no clear record — and the Council hasn’t been given the information needed to judge what that trade-off actually costs both to the public and the County.

There are no deadlines where they matter. The bill (as amended) sets a 12-month Final Plan deadline but leaves nearly everything before it open-ended: no minimum lead time for OPZ to actually review Concept Plan documents before giving feedback, no deadline to submit the Concept Plan after the pre-application meeting (OPZ has only said 45 days verbally, never in the bill), and upon receipt by the review agencies, how much time OPZ has to decide if the necessary plans or attachments are deemed incomplete and will result in denial of the application. For every other plan process, these types of timelines are in code.

There is a substantial content gap as well. The draft Concept Plan Checklist asks for roughly two-thirds less information than the Sketch Plan Checklist it replaces — and the stormwater management information is only 2 of the 26 items that currently are requirements in the SWM concept plan.

The public suffers the most from the bill. There's less information available about the project at the beginning and no chance of appealing anything in the Concept Plan. There is far more information to digest from the Final Plan, and a community meeting held even at the maximum allowed 45-days is too soon. Adding on the 14-day period allowed for public comment to the developer after the meeting means the County might have only 1 day to review all the comments and responses, depending on the timing of the meeting

Finally, it is not clear that a County that is about 90% built out needs to streamline the development process to improve the speed and reduce the cost of development and enhance the profit margin for developers. In principle, streamlining might improve housing affordability, but market driven housing prices seem unlikely to respond.

GAN was not included in the development of this bill, as erroneously stated in the Legislative Summary. **GAN opposes the bill as amended**, and requests that County clarify the many unaddressed issues in a new bill.

GAN members are encouraged to contact their Council Members and advise them that the bill in its current form does not serve the best interests of their constituents

Action Alert for Gan members and friends

Article 18 update

Article 18 of the County Code governs development in the county and was last updated in 2005. Since then, hundreds of small, “minor” changes have created a patchwork of conflicts and inconsistencies in the way that land use is managed in the County. GAN has been advocating for a comprehensive update for more than 10 years.

We are in strong support now of Bill 61-25, the long-awaited update to the Zoning Code. Highlights include purpose statements for each zoning district which were stripped out of the code in the 2005 revision, many more definitions of terms and uses already in the code, expanded uses in some zoning districts, and it puts the county’s administrative practices into the code so all have clarity and certainty.

A number of amendments have clarified some uses and changes. After initial opposition from food truck owners and the Farm Bureau, the Council has worked out amendments that have gained their support. Dozens more amendments should be taken up by the next Council.

This Monday is the last meeting of this Council, and therefore the last time to vote on this bill. We encourage you to testify in support of the bill at this Monday’s Council meeting, to write to your Council Member, and/or submit written testimony at **this link** by 11am Monday.

Next GAN Board meeting is October 28, All members are welcome to observe and comment. See calendar for link.

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