



Legislation Details (With Text)

File #: [23-0127] **Version:** 1 **Name:**

Type: Discussion Item **Status:** Filed

File created: 2/7/2023 **In control:** Town Council

On agenda: 2/15/2023 **Final action:** 2/15/2023

Title: Update on Administering Concept Plan and Conditional Zoning Applications.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Draft Staff Presentation, 2. Council Questions with Staff Response, 3. Staff Presentation

Date	Ver.	Action By	Action	Result
2/15/2023	1	Town Council	received and filed	

Update on Administering Concept Plan and Conditional Zoning Applications.

Staff:

Mary Jane Nirdlinger, Deputy Town Manager
 Britany Waddell, Director
 Judy Johnson, Assistant Director
 Corey Liles, Planning Manager

Department:

Manager’s Office
 Planning

Overview: Tonight, we are providing the Council with an update on how staff will administer the development review process for Concept Plan and Conditional Zoning applications. Based on Council conversations about the planning system, staff plans to align review practices with the adopted Land Use Management Ordinance (LUMO) process and adjust our procedures to reflect the Council’s interest in adopting the Complete Community framework into the Town’s Comprehensive Plan.

This update does not require Council action to change the Town’s ordinances. Changes can be administered by Town staff, under the guidance of the Town Manager, through procedural updates.

 **Recommendation:**

That the Council receive the update on administering the Concept Plan and Conditional Zoning application review processes and share any feedback with staff.

Advisory Boards

Current practice, based on previous Town Council requests, includes Advisory Board review for Concept Plan and Conditional Zoning applications, as detailed in the chart on the following page. Recently, the Council expressed an interest in refocusing Advisory Boards on providing high-level policy guidance related to specific issues. While the Council undertakes that effort around defining policy topics, the staff has the opportunity to shift practices back to the established LUMO process. LUMO requires Community Design Commission (CDC) review for Concept Plans and Planning Commission review for Conditional Zoning applications. In addition, LUMO required CDC review of building elevations and lighting at the Final Plans stage

Staff Review

Staff will review Conditional Zoning applications for consistency with the Comprehensive Plan and compliance with LUMO requirements. We will incorporate Council’s expressed interest in a clear articulation of community interests, benefits, and regulatory requirements in the staff review and recommendation to Council for their legislative hearing on Conditional Zoning applications.

The following chart shows the difference between current practice and the procedures staff will now use to administer the Concept Plan Conditional Zoning development review process according to LUMO. No changes are proposed to the Final Plan review process which occurs after Council approval of a Conditional Zoning ordinance.

Current Practice		Revised Practice as of Feb. 2023 (aligns with current LUMO)	
1. Concept Plan			
Concept Plan	Community Design Commission	Concept Plan	Community Design Commission
	Housing Advisory Board		Community Design Commission
	Stormwater Management Utility Advisory Board		Town Council
	Town Council		Town Council
2. Conditional Zoning Application			
Staff Technical Review		Staff Technical Review	
Public Information Meeting		Public Information Meeting*	
Advisory Board Review	Community Design Commission	Advisory Board Review	Planning Commission
	Housing Advisory Board		
	Environmental Stewardship Advisory Board		
	Transportation and Connectivity Board		
	Planning Commission		
Public Hearing	Legal Notification	Public Hearing	Legal Notification
Council Action Meeting	Town Manager Recommendation	Council Action Meeting	Town Manager Recommendation
3. Final Plan Review			
Staff Technical Review		Staff Technical Review	
Building Elevation and Lighting review	Community Design Commission	Building Elevation and Lighting review	Community Design Commission

* not required by LUMO process, but staff proposes to retain



Attachments:

- Draft Staff Presentation

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Mary Jane Nirdlinger, Deputy Town Manager

RECOMMENDATION: That the Council receive the update and share any feedback with staff.