



STAFF REPORT

PLANNING AND COMMUNITY DEVELOPMENT COMMISSION

JULY 12, 2021

ITEM NAME

Site/Development Plan Code Review

STAFF

Reyana Jones, Historic Preservationist/Planner

INFORMATION

Based on feedback received from the Board of Trustees at the joint BOT/PCDC meeting, Staff and the PCDC are reviewing the site plan and development plan review code (LMC 16-17). On 6/23/2021, Staff, Gregg Oetting, David Hamrick, and Mayor Pro Tem Browning met and reviewed the existing code. During the June 28, 2021 PCDC workshop, PCDC asked Staff to draft a code update based on these discussions and comments made during the workshop. That draft is attached along with a clean copy of the existing code; Staff has highlighted some comments for PCDC's discussion in the draft.

One item of concern the PCDC wanted to discuss further was the Appeals section of the code and its associated fee. Administrator Simonsen advised that reimbursing the fee (\$250) for appeals has been discussed before, but it was decided to keep the fee in place because it is used to pay for the time and services spent on preparing the appeal (Staff, legal, etc.). The required escrow (\$500) is refundable if it is not used. Looking at historic forms, the \$250 fee was in place in 2011 (prior unknown); between 2018 and 2020, the fee was \$500 and the escrow was \$250; these amounts were switched for the 2021 fee schedule.

The PCDC also asked Staff to consult with Town Attorney Dittman regarding whether the PCDC could be a "referral agency" during site plan and development plan reviews. Attorney Dittman stated that the PCDC cannot be privy to an application that they would later need to be a quasi-judicial decisionmaker on. Staff followed up with Attorney Dittman for additional information but has not heard back as of 7/8.

COMMISSION ACTION

- Discuss the attached draft and provide comments to Staff to update the draft
- Decide whether to hold a second workshop on this document with PCDC or to send to BOT for workshop, then ordinance process

ATTACHMENTS

1. Site Plan and Development Plan Code Modification_DRAFT_7-1-2021
2. LMC 16-17 (existing code)