



# ULDC Text Amendment

A request to change thresholds for  
BoCC review of preliminary  
development plans

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# Background

- BoCC reviewed the Parkwood subdivision preliminary development plan at its 3/12/19 meeting and raised questions about changing the threshold for BoCC development review
- At the 5/7/19 special BoCC meeting the Board made a motion to have staff bring forward a request to advertise a ULDC amendment to development review thresholds as soon as practicable
- BoCC approved this item to be advertised at the 6/25/19 regular meeting

# Proposed Amendment

- Sec. 402.44 of the ULDC, Thresholds for Development Review
- Table 402.44.1 lists thresholds for development applications to be heard by the Board of County Commissioners
- If approved, the thresholds for several types of preliminary development plan applications would be lowered, increasing BoCC consideration and action
- Exceptions for planned developments, special exceptions and special use permits would no longer apply

# Analysis

- Intent of PDP is to provide initial review of site's characteristics and what will influence the design
- PDP establishes (e.g.) extent of natural resources, block locations, road network and access points, stormwater areas, minimum open space and tree protection
- Those PDP that fall below established thresholds are considered by the Development Review Committee (DRC), comprised of staff from the Growth Management, Public Works and Environmental Protection Departments

# Analysis

Year	2016	2017	2018	2019 (through 05/20/2019 or in review)
Number of PDP 25 units and above heard by <u>DRC</u>	5	0	3	3
Number of PDP less than 25 units heard by <u>DRC</u>	0	4	2	1
Total number of PDP heard by the <u>BoCC</u>	1	2	3	1

- In recent years only a few Preliminary Development Plans have been heard by the Development Review Committee rather than the BoCC.
- More projects have developed as Traditional Neighborhood Developments (TND) or have otherwise tripped the thresholds for BoCC review.

# Proposed ULDC amendment (Sec. 402.44)

Any proposed development, ~~except those that are part of an approved planned development, special exception, or special use permit,~~ that meets or exceeds the thresholds established in Table 402.44.1 below, including expansions of existing development that cumulatively cause the threshold to be met or exceeded, shall require preliminary development plan consideration and action by the Board of County Commissioners. Projects classified as redevelopment under Chapter 407 Article XV may exclude from the threshold calculation any existing square footage. Any preliminary development plans submitted for review concurrently with a zoning application for a planned development, special use permit, or special exception shall require board of county commissioner's consideration and action, regardless of whether they are above the thresholds in Table 402.44.1.

Table 402.44.1	
Development Type	Threshold
Residential, Single Family	<del>100</del> <u>25</u> dwelling units
Residential, Multiple Family	<del>150</del> <u>25</u> dwelling units
Commercial/Office	50,000 sf of GFA
Institutional/Place of Worship/ Civic Organizations/Recreation	25,000 sf of GFA
Industrial	100,000 sf of GFA
Mixed Use: <del>Residential</del> <u>TND/TOD</u>	<del>80</del> <u>25</u> dwelling units or 50,000 sf of GFA
<del>Mixed Use: Commercial/Office</del>	<del>40,000 sf of GFA</del>
<del>Mixed Use: Industrial</del>	<del>80,000 sf of GFA</del>
All Development Types	Extension of water-sewer service beyond the Urban Cluster Line
All Development Types	Adverse impact to wetlands
All Development Types	Proposed developed area of parcel contains Strategic Ecosystem

# Staff recommendation

- 1. Convene as the Land Development Regulation Commission and find the proposed amendment consistent with the Comprehensive Plan
- 2. Reconvene as the Board of County Commissioners to adopt the amendment to the text of the Unified Land Development Code (ULDC) as proposed by staff.