



**BCC Work Session
September 16, 2021**

Future Land Use & Zoning Hearing Process

Discuss public hearing process alternatives

- **Currently combine Land Use & Zoning into single Hearing**
 - **Single staff report, presentation, public comment, and motion**
- **Other available options**
 - **Separate land use and zoning hearings**
 - **Hybrid approach**

Current Process

- **Land Use/Rezoning Cases heard concurrently under one agenda item**
 - **Single application/fee**
 - **Single staff report, presentation, and motion**
 - **Combined notice and public hearing**
- **Two Future Land Use Map amendment types**
 - **Small Scale – Amendments 50 acres or fewer***
 - **Large Scale – Amendments greater than 50 acres* (infrequent)**
 - *Recently increased from 10 acres by HB 487

Current Process - Small Scale Amendments

- **LPA Hearing – Land Use and Zoning**
- **BCC Hearing – Land Use and Zoning**
- **Countywide Planning Authority process (if applicable)**

Current Process - Large Scale Amendments

- **LPA Hearing – Land Use and Zoning**
- **First BCC hearing – Land Use amendment transmitted to State**
 - Zoning is voted on, but conditioned on adoption of the Land Use amendment
- **State and regional agency review**
- **Countywide Planning Authority process (if applicable)**
- **Second BCC hearing – adoption of Land Use amendment**

Future Land Use and Zoning Hearing Process



Future Land Use, Zoning Comparison

	FUTURE LAND USE	ZONING
Use Restrictions	Broad Use Categories	Specific Use Categories
Density	Units/Acre	Units/Acre per Land Use – can be more restrictive based upon lot size requirements
Building Size Intensity	Floor Area Ratio	Floor Area Ratio per Land Use
Performance Standards	Impervious Surface Ratio (amount of green space)	Dimensional Standards (Lot size, setbacks, height, etc.)

Zoning Tools

	CONDITIONAL OVERLAY	DEVELOPMENT AGREEMENT	RESIDENTIAL PLANNED DEVELOPMENT
Use Restrictions	Specific Use	Specific Use	Specific Residential and Ancillary Uses
Density	Units/Acre, # of units	Units/Acre, # of units	Units/Acre, # of units
Intensity	Floor Area Ratio, Building and Lot Coverage	Floor Area Ratio, Building and Lot Coverage	Floor Area Ratio, Building and Lot Coverage for ancillary non- residential uses
Performance Standards	Dimensional Standards, Design Standards, Access to Roadways	Same as Conditional Overlay + offsite road improvements, concept plans, business hours, operational criteria, etc.	Requires Development Master Plan, Dimensional Standards, Access to Roadways

Considerations

- **Maintain review timeframes**
- **Stable and predictable process**
- **Legislative (Land Use) vs. Quasi-judicial (Zoning)**
- **Changes to hearing notices, advertisements, LPA procedures, additional staff time, fee schedule**

Future Land Use and Zoning Hearing Process

Alternatives Overview

		Option 1	Option 2
Small Scale	Agenda Items	Separate	Combined
	Staff Reports	Separate	Separate
	Presentations	Separate	Combined
	Public Comment	Separate	Combined
	Motions	Separate	Separate
Recommendation			✓
Large Scale	Would follow same review process as small scale on dates when land use & zoning are both heard.		
	Transmittal Hearing	Land Use & Zoning	Land Use Only
	Adoption Hearing	Land Use Only	Land Use & Zoning
Recommendation			✓

Small Scale Process Alternatives

- **Review Land Use and Zoning (one LPA & one BCC meeting)**
 - **Option 1: Two staff reports with separate agenda items, presentations, public comment opportunities, and motions**
 - **Option 2: Two staff reports under one agenda item, one presentation, and separate motions**
 - Recommended option
 - Allows legislative and quasi-judicial components to be considered separately while giving the public one opportunity to comment on both under one agenda item

Large Scale Process Alternatives

- **Option 1:**
 - **Review Land Use & Zoning at LPA hearing per selected small scale process**
 - **Review Land Use & Zoning at BCC transmittal hearing per small scale process**
 - **Adoption of Zoning contingent on the adoption of Land Use at the 2nd BCC hearing**

- **Option 2:**
 - **Review Land Use & Zoning at LPA hearing per selected small scale process**
 - **Review Land Use only at BCC transmittal hearing and Land Use & Zoning per small scale process at adoption hearing**
 - Recommended option – provides opportunity for feedback from state agencies on the Land Use prior to final legislative and quasi-judicial decisions

Recommended Alternatives



- **Small Scale:**
 - Two staff reports under one agenda item, one presentation, one public comment period, and separate motions
- **Large Scale:**
 - Review Land Use only at BCC transmittal hearing and Land Use & Zoning the same way as the selected small scale process at adoption hearing
- **Board Direction**