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MEMORANDUM

TO: Howey-in-Othe-Hills Planning Board
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Amendments to Development Review Committee Procedures
DATE: April 20, 2023

The Town Council has been discussing the option of adding a general citizen to the Development Review Committee (DRC). The DRC is a technical review body that applies the standards from the comprehensive plan, the land development code and the Town's design details to prospective developments. The DRC is not a policy board that determines items such as proposed lot sizes, final project density and/or intensity, etc. The policy decisions are made by the Town Council after review and recommendation by the Planning Board. The meetings held by both the Council and the Planning Board are public hearings with ample opportunity for gathering public comment on a project.

At a recent Town Council meeting the Council voted to keep the DRC as a technical review body with an opportunity for public comment. To this end the Council asked staff to prepare a proposed amendment to Chapter 9 of the land development code to clarify the opportunity for public comment and modify a few other sections of the DRC membership and operation. The Town code requires that the Planning Board review any amendments to the development codes and provide a recommendation to the Town Council. This is the purpose for including this item on the current agenda.

- Section 9.03.02 is amended to add the Town Manager and Town Clerk as members of the DRC. Both staff already attend and participate in the DRC meetings. This amendment formalizes the current process.
- Section 9.03.04 is amended to designate the Town Manager as chair of the DRC rather than the town planner. This is also our current practice and again formalizes the current process.
- Section 9.03.04 is also amended to specifically state that attendees from the public will have an opportunity to comment on the projects that come before the DRC. This has also been the current practice in allowing public comment on each agenda item and allowing for a general public comment opportunity at the end of the meeting. Again, the amendment formalizes current practice.

Public comments that have been received at the DRC meetings have mostly been related to policy issues such as lot sizes and project density. The DRC is always careful to point out that the planning board hearings and Town Council hearing are the proper forums for these comments and direct the citizens to these meetings. Typically the general citizenry are not well versed in the technical standards used to review projects at the DRC level, and consequently public comments are often off target for the DRC function. Nevertheless, the DRC does occasionally get a comment about comprehensive plan policies or requests for information on how systems such as stormwater will operate. The opportunity for public comment is not a significant burden in the operation of the DRC and, even when policy issues are raised, can provide information to the applicant on the public view of the project. This information may be useful as the applicant in considering potential amendments to the project.

Staff supports the proposed revisions.