

CHAPTER V – PROCESS & PROCEDURES

This Chapter addresses the OTC Plan Amendment, Modification & Oversight process and describes the Next Steps in implementation of this Plan.

1.0 OTC PLAN AMENDMENT, MODIFICATION & OVERSIGHT

1.1 Comprehensive Plan and Zoning Review

This Plan shall be reviewed and comprehensive amendments considered every five years, along with the zoning map and other related texts. This cycle mandates that the Plan is current and viable at all times, and provides landowners with a means to petition for different uses and standards to be applied to their property, in relation to the overall purposes of the Plan. At the same time, it will protect the Plan from piecemeal alterations to its complex and interrelated requirements. Significant adjustments to the OTC boundary, the size and shape of Sub-Areas, blocks, and to the zoning map should be made during this cyclical process.

1.2 Plan Oversight

In order to guide development of the OTC, the county staff will need many tools and assets and the help and support of many people. Three necessary tools are summarized here.

A. OTC Coordinator

A single person shall be assigned to coordinate and oversee OTC development. The coordinator's responsibilities will include a wide range of activities including, but not limited to, development review, coordination with other departments and agencies, oversight of public facilities, management of OTC fund programs, pursuit of outside funding, as well as regular reports to the Planning and Zoning Officer and to the County Executive. The coordinator will need to be supported by a team of professionals and oversight committee.

B. OTC Oversight Committee

The OTC Oversight Committee, a volunteer committee comprised of stakeholders and expert advisors, shall continue to help provide the public with information and a means to participate. They should build support for the OTC activities and advocate and advise on implementation of the Plan. Their duties should include providing regular advice to the Director of Planning and Zoning and to the OTC coordinator.

C. Plan Benchmarking and Tracking

In order to help the Planning and Zoning Officer and the OTC Coordinator manage plan implementation and track the rapid changes anticipated in the OTC, regular monitoring needs to be done. The following three reports will provide the data the County needs in order to be ready to respond to issues as they arise. This will help

guide the planning, design and construction activities and identify any needed Plan changes.

1. OTC Growth Management Report - The Plan recommends the Planning and Zoning Officer prepare and submit to the County Executive, with such assistance from an Oversight Committee as he may designate, and in conjunction with other departments of County government, an annual Growth Management Report (GMR). The Report will include matters such as:

- The number and type of applications for development approval (i.e. concept plans, final development plans, grading and building permits and use and occupancy permits received that year);
- The square footage of new construction, including renovation and enlargement of existing buildings or structures;
- The amount and type of minor modifications requested and approved or disapproved.
- The status of planned and constructed public facilities, including noted deficiencies;
- An updated growth projection for the OTC.

2. An updated OTC Priority Project List and Funding Status Report. This will address the following:

- The status of grant applications and other funding requests funds in the various OTC programs and developer contributions
- Annual CIP and operational budget requests for the OTC.
- The Priority OTC Project List shall include, but not be limited to, sections on the following project types:
 - Roadways
 - Parking
 - Transit
 - Pedestrian ways, bikeways and streetscapes
 - Stream restoration & open space priorities
 - Public amenities
- Other matters deemed by the Planning and Zoning Officer to be pertinent to implementation of the Plan and recommendations for improvements in the growth management process.

3. **APF Monitoring Report** – As part of the GMR Report, the Planning and Zoning Officer will report on the current and projected adequacy of the OTC transportation network. This report will be used to aid the County in updating the OTC Priority Project List, in formulating the County’s capital budget and making State funding requests. It will also assist County staff by identifying emerging APF issues in the OTC road network that should be addressed by upcoming development applicants. This assessment will have two parts as follows:
 - a. **Near Term Adequacy Review** – This report will be based on an annual OTC traffic assessment. This assessment will identify the adequacy of key existing intersections in the OTC network based on current traffic count data that is no more than three years old. If appropriate traffic count data is not available from other sources, the County will cause new counts to be done for the purposes of this annual assessment. The assessment will employ, as needed, a computer modeling aid that is capable of analyzing intersection operations both individually and as part of the coordinated OTC network. An up-to-date software program will be used.

The Near Term Adequacy Review will identify current and projected intersection adequacy based on existing conditions, approved development permits and agreements as well as road improvements listed as an approved County CIP, State CTP, or bonded private project. The assessment will project adequacy for five years in annual increments. It will identify the amount of background traffic moving through OTC versus the amount of traffic created within the OTC in order to help identify the causes of any inadequate conditions.

- b. **Mid and Long Term Review** – This item will assess and update the ten and twenty year traffic projections, using the OTC specific and County wide BMC linked traffic model. The purpose of this assessment is to review the adequacy of and update the mid and long term priority transportation project list and to ensure timely provision of adequate transportation capacity to support projected OTC development. It will also serve as the means to review and update the estimated cost of planned transportation improvements in order to update the defined OTC trip fees. This review may only be needed every two years or more often, as issues arise.

1.3 Assessment and Audit

This Plan recommends that the Office of Planning and Zoning prepare a Plan Assessment and Audit Report (PAAR) every two years that provides an analysis assessing the validity and accuracy of the assumptions and projections made in the adopted Plan, the progress made in achieving adopted Plan goals and policies, the efficiency and effectiveness of the Permit Review process, and the need for updating and/or changing County plans, regulations, policies and programs.

1.4 Plan Modifications

Applicants submitting Concept Plans for review and approval can request minor modifications to the requirements of the OTC Plan. Approval of such minor modifications can be made by the Planning and Zoning Officer upon finding that, because of unusual circumstances of shape and topography or other physical features or conditions of a proposed development, or because of the nature of adjacent developments, extraordinary hardship may result from strict compliance with the requirements of this Plan. Minor modifications shall be limited to:

1. Dimensional adjustments under 10% for:
 - a. Frontage, height, open area, and setback standards.
 - b. Building height variations beyond bonus permitted intensity except in transition areas.
 - c. FAR intensity variations beyond basic permitted intensity.
2. Variations on location of road network or blocks up to a distance of 100 feet except as required by engineering needs.
3. Designation of landmark buildings and focal areas.
4. Variations in Design Standards that are judged to be within 10% of the subject requirement.

2.0 NEXT STEPS

2.1 Lists and Sequence of Recommended Activities

In order for the OTC Plan to be implemented as envisioned, several County programs and ordinances will need to be approved or issued along with the Plan. The list of recommended activities along with the recommended sequence is as follows.

Step One: Items to be submitted to Council.

1. The OTC Ordinance establishing OTC Growth Management Area process and submission requirements
2. The OTC Plan

Step Two: Items to be submitted to Council for adoption shortly after the Plan's adoption.

1. OTC Zoning Map

Step Three: Items requiring further study by the Office of Planning and Zoning:

1. OTC Commission Commercial District Management Authorization
2. OTC Parking District Authorization
3. Authorization of the OTC Public Amenities and Public Facilities Funds
4. Authorization of the OTC Trip Fee and Transit Fee Authorization

Other Recommended Future Actions in the Near Term

1. Modification of the Road Code & Road Design manual to include urban street and streetscape standards
2. County Wide Transfer of Development Rights (TDR) Program Authorization

Annual Actions

1. Growth Management Report
2. Traffic Adequacy Report
3. OTC Budget Request CIP and
4. OTC Priority Project List update

2.2 OTC Funds

There are several new County Funds referred to throughout this Plan. These are needed to help achieve the Plan's vision and help implement several of the Plan's most basic goals. This Plan recommends the authorization/adoption of these programs. These programs and their role are briefly described below. If, and when, they are adopted, they are intended to be attached to this plan in the Appendices for easy reference.

A. OTC Vehicle Trip Fees

The Plan recommends a required fee based on a fair share of OTC road improvements. In order to implement this fee, a calculation of the average cost of a OTC vehicle trip shall be established by the Planning and Zoning Officer along with a consistent methodology for defining the per-trip cost. This cost should be generally based on an estimate of the costs for the near and mid term road improvements listed in the OTC Priority Project List divided by the number average daily trip of projected trips to be generated by the OTC in the next ten years (mid-term time frame). This calculation should be revised every five years or less as determined by the Planning and Zoning Officer.

B. Public Facilities Fund

This fund would be a County Fund that is intended to be used to fund improvements such as roads, transit, utilities and other public facilities of the OTC Plan. It will be used only for OTC related projects and will be funded through developer contributions, fixed trip fees and other sources.

C. Public Amenities Fund

This fund would be a County Fund that is intended to be used to fund acquisition, improvement, maintenance and operation of the following OTC elements:

1. Public or publicly accessible activity areas in OTC; and
1. Public parks within the OTC, active recreation parks in or within 1/2 mile of the OTC; and
2. Streetscapes and pedestrian bikeway and trail networks; and
3. Sensitive or wooded green areas in or within 1/2 mile of the OTC.

Two broad types of projects are envisioned:

1. Publicly owned spaces that the County could acquire, improve, maintain and operate.
2. Privately owned spaces, controlled by an easement, and that the owner will acquire, improve, maintain and operate.

Funding is intended to come from several sources such as :

1. Developer fee-in-lieu and Bonus or Credit contributions:
 - a. Reforestation
 - b. Off-site open area
 - c. Stream restoration fee-in-lieu
2. Various grant funds
3. State funds
4. County funds

Amenity Funds will be ear-marked for three distinct project types:

1. Usable public amenities
2. Green areas
3. Stream restoration areas

Project types to be funded include, but are not limited to:

1. Acquisition, improvement maintenance and or operation of spaces. County CIP for Streetscape improvements, public parks and plazas
2. Disbursements to private developers for improvements to privately owned public spaces with public access easements.
3. Match money for State grants from several programs designed to help with these issues.

Property owners may apply for grants from this program for the following:

1. Publicly accessible activity areas
2. Public recreational parks within the OTC, active recreation parks within 1/2 mile of the OTC; and sensitive or wooded green areas
3. Public activities
4. Green areas