



Highlands Council Meeting

Thursday, June 20, 2013



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Checklist Ordinance Review



Checklist Ordinance Overview

- All Conforming municipalities adopt a Checklist Ordinance
 - Repealed when municipality adopts Land Use Ordinance (LUO)
 - Retained in lieu of LUO when development potential is severely limited (“Checklist Ordinance Approach”)
- Requirement established in Plan Conformance Guidelines, adopted by Council in 2008 along with RMP



Checklist Ordinance Use

- Requires referral of Development Applications to the Highlands Council for Consistency with Highlands Act and RMP
- 9 municipalities have adopted a Checklist Ordinance to-date
- “Checklist Ordinance Approach” first used in 2011



Development Application Review

Checklist Ordinance Approach

Criteria:

- Consistency with RMP
- Consistency with Highlands Land Use Ordinance

Reviewer:

- Highlands Council Staff

Land Use Ordinance Approach

Criteria:

- Consistency with RMP
- Consistency with Highlands Land Use Ordinance

Reviewer:

- Municipal officials (after training, procedures, forms, fee/escrow, etc. are in place)

ALL development applications receive **identical** review for consistency with RMP and protections required by Act.

LUO and Checklist Ordinance in Plan Conformance Context

Petition

Public
Comment

Public
Hearing &
Approval

Implementation

- Draft documents prepared during Petition; municipal adoption during implementation
- During staff review of petition documents, evaluate Checklist Ordinance Approach vs. LUO
 - Based heavily on the municipality's development potential
 - Primarily Preservation Area only towns (where Highlands DEP protections already in place)



Summary:

Checklist Ordinance Approach

- ✓ Saves municipality with limited development potential time, effort, \$ (training, admin. support)
- ✓ Avoids inefficient use of state funding
- ✓ Gets Resource Management Planning underway more quickly
- ✓ Appropriately addresses Plan Conformance
- ✓ Provides equal resource protection (simply changes location of reviews)



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