

# **CONCEPT REVIEW PROCESS: UPDATE AND NEXT STEPS**

**March 6, 2023**

**Purpose: Seeking Decision**

## STATUS OF WESTMINSTER'S CONCEPT REVIEW PROCESS

- As an additional follow-up to the May 16, 2022 Study Session regarding approval authorities, Staff prepared an ordinance amending Westminster Municipal Code (W.M.C.) to establish a development plan concept review process.
- The amendment was loosely based on Broomfield's concept plan review process and did not include a public meeting component.
- City Council passed the first reading of the amendment, Councillor's Bill No. 49 on October 10, 2022.
- At the October 17, 2022 Study Session City Council instructed Staff to review and revise the bill to incorporate a public meeting process like Broomfield's concept plan review process.
- Staff met with Broomfield Staff and performed additional research to gain insight into the Broomfield process and would like to discuss a new recommendation with City Council

# BROOMFIELD CONCEPT PLAN REVIEW PROCESS

- Additional step after standard pre-application review
- Applies to PUD-zoned properties
- Administrative development approvals exempted
- Smaller projects are exempted per code criteria
- 30-day posting on City/County website for public comment:
  - Public comment
  - Land Use Review Commission comment
  - City Council comment
- City Manager *may* require a public meeting of the City Council at her discretion

# BROOMFIELD CONCEPT PLAN PUBLIC MEETING

1. Agenda memo provides staff review; identification of key issues
2. Mayor introduces item: title and brief description; general location
3. Staff presentation: summary of application
4. Applicant presentation
5. Comments from Broomfield's Land Use Review Commission members and other interested advisory boards
6. Public comment
7. Applicant final comments; including answering questions from public comment
8. Questions and comments from the Broomfield City Council

# RECOMMENDED PROCESS FOR WESTMINSTER

1. Staff performs pre-application review and meets with applicant in accordance with existing procedures
2. Upon completion of the pre-application review process, any project not subject to administrative approval will be required to be reviewed by the City Council at its next available Study Session
3. The City Manager may refer ANY pre-application review to the City Council at their discretion
4. Public notification will be in accordance with current W.M.C. requirements including mailed notice and property sign postings

## RECOMMENDED PROCESS FOR WESTMINSTER

5. Staff will prepare a brief agenda memo including the plan documents submitted by the applicant, Staff's review comments on submittal documents, and the pre-application review summary provided to the applicant
6. City Council will conduct the meeting in the same format as Broomfield:
  1. Staff presentation: summary of application
  2. Applicant presentation
  3. Comments from the Planning Commission and other interested advisory boards
  4. Public comment
  5. Applicant final comments; including answering questions from public comment
  6. Questions and comments from City Council
  7. Conclude review

## **DIFFERENCES: BROOMFIELD VS WESTMINSTER**

- **Staff recommendation requires all pre-applications that are not subject to administrative approval to be reviewed by City Council at a Study Session. The Broomfield process only requires concept reviews to be published on the website for public comment, Land Use Commission comment, and City Council comment for a period of 30 days. The City Manager in her sole discretion may require a concept plan to be heard at a study session but is not obligated to do so.**
- **Staff recommendation does not include the web-based public comment component. However, the application will require public notice and attending public may provide comment at the concept review study session in the same manner as Broomfield.**

# CONCEPT PLAN REVIEW PROS & CONS

## Benefits:

- Applicants seeking future quasi-judicial approvals can gain critical insight into City Council concerns at the initial stages of the planning process
- Applicants have opportunity to adjust or abandon concepts prior to incurring significant costs associated with the preparation of technical plans, reviews and revisions, and public hearings
- Provides nearby residents an opportunity to voice their opinions directly to the applicant and City Council at a public meeting at the concept stage

## Costs:

- Lengthens the review process to a minimum of nine weeks vs. current three weeks
- Additional application fees and notification costs including sign postings and mailings

# POLICY QUESTIONS FOR CITY COUNCIL

- Would the City Council like to include a web-based public comment portal to gather public input on projects subject to concept review?
  - *Staff does not recommend this*
- Would the City Council like to review ALL pre-applications or just those subject to future Planning Commission and/or City Council approval?
  - *Staff does not recommend this*
- Would the City Council prefer to authorize the City Manager to decide which concept reviews are presented to the City Council at a study session like Broomfield?
  - *Staff does not recommend this*

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