

Tuesday, November 23, 2010

The following summary identifies the points of discussion considered at yesterday's Roundtable *Discussion on Issues & Opportunities to Enhance Frederick County's Business Friendly Environment* that was co-hosted by Laurie Boyer and Gary Hessong. The user group that was intended to be targeted was, in general, commercial business representatives however others were included and welcomed as well.

1. Regularly scheduled meetings with the private sector would be helpful in order continue productive lines of communication.
2. Faster review timeframes should be established or prioritized for those projects utilizing Federal Stimulus money.
3. Change of use occupancy permits should be simplified and expedited. Complicated site plans should not be required. This includes but is not limited to those uses that are permitted in the Zoning Ordinance.
4. Targeted user groups should be established to address concerns and issues that don't necessarily apply to all projects (i.e. new residential construction, non residential construction, large development projects, small development projects, etc...). Gary and Laurie should work with the Chamber of Commerce, FCBA and others to establish user groups and feedback should be funneled back through Gary and Laurie.
5. Change of use applications should be simplified and potentially have different levels of approval and review, depending on the requested change and complexities.
6. Establish a task force, and Charter the group, from those represented today to identify ways to cut down on approval timeframes.
7. All review agencies should be required to attend the TAC (Technical Advisory Committee) meetings and those attending must be qualified agency representatives and have the authority to make decisions.
8. Site plans and improvement plans do not have a long enough approval timeframe.
9. Submittal checklists should be provided from all review agencies involved in a project so that clearer direction is received from the beginning.
10. The process to gain approval to install a propane tank is too complicated. Site plan and other submittal requirements should not be required.

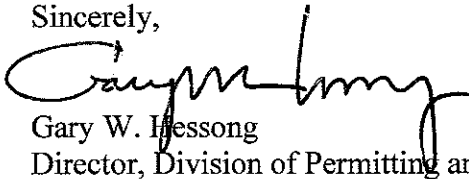
11. More flexibility must be included in the regulations and staff must have an attitude of “*how can we help*” and “*what can we do to get your project approved*”. Regulations and policies have eliminated the ability to make good judgment calls.
12. Established policies have almost taken away the ability to be flexible.
13. Become more customer-oriented.
14. Need to process additional application types via the walk through process. This includes tenant fit out projects both on well & septic and those on public water / sewer. All applications should be processed and reviewed at one location.
15. The required Industrial Waste Survey form by DUSWM is far too complicated and unnecessary in many applications.
16. There are far too many review agencies in both the development review process and the permitting process. This adds to higher fees, longer review timeframes, conflicting reviews and the lack of a single agency to solve problems.
17. Regulations are not sensitive to businesses that want to expand.
18. The requirement that water and sewer needs to be to the property line, within 90 days of recording a plat, is an unreasonable hardship and Frederick County is the only jurisdiction that requires this to be in place.
19. Water/Sewer Plan designations must be used as a positive planning tool and not a way that is harmful to applicants and property owners.
20. The validity periods must be longer, APFO and others.
21. Vesting of capacity should be forever – or much longer than it is now (if a developer mitigates an improvement then they should have the ability to build out based on making that improvement regardless of when they want to build).
22. A project should only be required to mitigate a proportionate improvement based on the capacity they create and not other deficiencies created by background conditions or others. (A project should not be required to mitigate beyond the impact being created).
23. Environmental standards should not be more strenuous than Federal/State regulations (i.e. floodplain buffers).
24. Lack of scalability for Impact Fees hurts affordable housing. For example a 1,500 sq. ft. single family house pays same Impact Fee as a 10,000 sq. ft. single family house. Perhaps there should be a sliding scale based on sq. footage and not just unit type.

25. Environmental Site Design (ESD) criteria is unreasonable for small single family lots. They should not be required to go thru 2 reviews.
26. SWM regulations are a hardship. Underground devices, etc. makes a project too costly. Processes need to be adjusted and possibly improved but changing regulations are needed too and that may take time and be beyond the level of authority locally.
27. Recommendations from the FCBA relative to building code changes need to be given more consideration.
28. The capacity fees charged by DUSWM are unreasonably high. It is not uncommon for this fee to be several thousand dollars when something simple such as a single toilet is being installed. This fee significantly exceeds the cost of construction and other project costs. This is particularly a hardship when plumbing fixtures are installed as a convenience for the business (i.e. an extra toilet, hand sink, etc...) and not required by code.
29. It is unreasonable to require a permit (and submit 10 copies of a site plan) for a job site trailer.
30. Better communication needs to be established so that smaller builders and subcontractors can find out about code changes. Maybe consider more info at the customer service counter or send an email blast with a web link.
31. Consider establishing a "green tape" program similar to what is done in Leesburg to expedite projects.
32. There needs to be an improved process that allows for the private sector or those in the industry to make changes through the submission of a text amendment.
33. There needs to be a better way to allow uses that are not included in the Zoning Ordinance matrix, other than requiring an applicant to go through the long, expensive text amendment process.
34. The MPDU Ordinance needs to be updated. If people are not qualified to take occupancy of an MPDU, then the lots may remain vacant for a very long period of time. Also, need to reevaluate when MPDU's should be required. Is there a better trigger mechanism?
35. Issues need to get resolved at the lowest possible level.
36. The SWM regulations and processes need to be improved. Separate fees, plans, etc... for smaller projects vs. the 3 plan types for larger projects.
37. The parking, lighting and landscaping requirements need to be revised. All projects, especially those proposing expansion, should not be subjected to the same standards.

38. Parking requirements for certain uses (offices uses, etc...) need to be reviewed and revised. Our requirements have dropped to 2 ½ per, but the planning commission can approve more, however they need to be of impervious nature. This is unreasonable especially when users needing 4 per. This puts the County at a competitive disadvantage when users are looking for available surface parking.
39. The process required by the County for a private developer to install on site private water and sewer infrastructure is very unreasonable and unique (only in Frederick County). It is very expensive and takes a very long time to meet requirements to get plans approved, post Letters of Credit, record easements and begin construction on the front end then to pay all the inspection fees and get the Letters of Credit released on the back end.
40. The overall process and time it takes to get through the development review process is unreasonable. There are too many agencies involved and not one that has final decision making authority when conflicts arise or breakdowns occur. We need a one stop shop.

On behalf of Laurie Boyer and myself, we would like to again thank you for attending and for your participation. If you feel anything needs to be clarified or added above, please let me know.

Sincerely,



Gary W. Hesson
Director, Division of Permitting and Development Review