

# Coordinated Review Process for Local Government Projects

#### Overview



Local Government Projects Defined

Projects of Local Significance

Consistency Reports

**Commission Review** 

Major Development Projects

**Conditional Approval Projects** 

#### **Local Government Projects**

#### What Are They?

COMAR 27.02.02 thru 27.02.04



Development or land-disturbing activities:

Sponsored by a County or Town; and

Proposed on County- or Town-owned land or on

private land.

 Requires review for compliance with local Critical Area regulations.



#### **Local Government Projects**



#### Type of review depends on scope of project:

#### No land disturbance/ only impacts existing structures

 No review by Critical Area Commission required

#### Minor Land Disturbance (Projects of Local Significance)

 Submit Consistency Report (along with applicable plans) for staff-level review

#### Major Land Disturbance

- Submit plans per Local Project Checklist for full Commission review and vote; or
- Submit request for Conditional Approval for full Commission review and vote

## Projects of Local Significance COMAR 27.02.02



- Minor in scale.
- Environmental impacts confined to parcel or immediate area.
- Is consistent with Critical Area Program per COMAR 27.01.
- Does not meet definition of "major development."
- Staff-level review (Consistency Report).

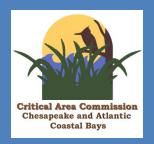
## Consistency Report COMAR 27.02.03



- Reviewed at Staff level
- Consistency Report for Local Government Projects
  - Project description
  - Project plans
  - Stormwater calculations (if applicable)
  - Mitigation Plan



## Projects of Local Significance Examples



Streetscape projects

Replacement/upgrade of underground utilities

 Construction of recreational amenities (boat ramp, trails, soccer field)



#### **Commission Review**



#### **Major Development**

Development that is consistent with the County's Critical Area Program but will result in substantial impacts.

#### **Conditional Approval**

Development that is <u>not</u>
 consistent with the County's
 Critical Area Program.

## Major Development & Conditional Approval Projects Submittal Requirements



#### <u>Local Project Checklist</u> on CAC website:

 Local Project Submittal Instructions and Application Checklist



## Public Notice Requirements COMAR 27.03.01.03



- Only for projects that go to Commission for a vote
- Newspaper
  - Local paper for one day
- Onsite posting
  - At least 30x40 inches
  - Posted no later than the date of newspaper posting
- At least 14 days for comments
- Evidence of each posting must be provided to Commission



## Major Development Projects COMAR 27.02.04



- Larger in scale or scope.
- State-wide, regional, or inter-jurisdictional impacts.
- Environmental or economic effects within Critical Area.
- Substantial impacts on County's Critical Area program.
- Is consistent with Critical Area Program but must come before full Commission for vote.



#### **Major Development Projects**

#### Examples



- Hospitals
- Public housing
- Airports
- Prisons
- Wastewater treatment plants
- Power plants and major utility
- Highways
- Public beaches
- Intensely developed park and recreation facilities



### Conditional Approval COMAR 27.02.06



- Development that cannot comply with the local Program.
- Similar to a "variance process" for local governments.
- Review by full Commission.
- Conditional Approval form
- Sponsoring agency must address specific project characteristics.
- Sponsoring agency must show project is otherwise compliant.
- Project must include mitigation measures.



## Conditional Approval Mitigation COMAR 27.02.06



- Shall be in <u>addition</u> to general requirements
- Benefits should be related to the Critical Area Program
- If applicable, off-site mitigation should occur close to project site and in Critical Area
- Implementation should be tied to the project itself
- Can be creative!



## Conditional Approval Examples





## Local Government Projects Summary



- Many local projects can be reviewed through the consistency report process.
- Major development and conditional approval projects require full Commission review/approval.
- The Commission review process is comprehensive, requires interagency coordination, public notice, and property posting.
- Early coordination with Commission staff is key!



## Forms For Local Government Projects



Forms and publications can be found on our website: <a href="https://dnr.maryland.gov/criticalarea/Pages/forms.aspx">https://dnr.maryland.gov/criticalarea/Pages/forms.aspx</a>

- Consistency Report for Local Government Projects
- → Local Project Checklist
- Conditional Approval form

#### **Any Questions?**



