

TO: JAMES L. APP, CITY MANAGER
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR *Bob*
SUBJECT: MULTI-FAMILY HOUSING MORATORIUM AND AD HOC COMMITTEE
DATE: JANUARY 4, 2000

Needs: For the City Council to consider whether or not to terminate the current Moratorium and whether or not to form an ad hoc Committee to review multi-family housing projects.

- Facts:
1. On October 19, 1999, the City Council adopted a Moratorium on the approval of new multi-family housing projects. The purpose of the Moratorium was to provide adequate opportunity to review the multi-family development standards and, if desired by the City Council, to formally initiate any needed Zoning Code Amendments. The Moratorium was for six months and will expire April 19, 2000.
 2. The City Council requested the Planning Commission to review the multi-family development standards and to recommend possible code amendments.
 3. On December 7, 1999, the City Council received the Commission's recommendations. The Council set December 16, 1999 as the date for a workshop to consider the recommendations. That workshop discussion was subsequently continued to January 12, 2000.
 4. At the December 16, 1999 workshop, the City Council requested that the subject of the Moratorium be placed on the next City Council Agenda for discussion. There was also a request to schedule a discussion of formation of an ad hoc Committee to review multi-family housing projects.

Analysis
and

Conclusion:

The City Council reviewed the Planning Commission's recommendations for possible Zoning Code Amendments at the December 16, 1999 workshop. The Council did not complete its discussion and continued the matter for further deliberation on January 12, 2000.

Based on the discussion that did occur at the workshop, there appeared to be Council support to consider an amendment to at least some of the multi-family development standards.

Having a Moratorium in place insures that any new multi-family project will be consistent with the latest multi-family development standards.

If the Council decides to terminate the current Moratorium, it would be approximately four months before a new set of multi-family development standards could be effective. Without a Moratorium in place, any applications that are filed during that four month period would be subject to the development standards that are in effect at the time the development application is filed and found to be complete.

At the December 16 workshop, a suggestion was made regarding the formation of an ad hoc Committee to review multi-family development standards. There was also mention of providing increased "flexibility" in the development standards for multi-family housing.

If the City Council forms an ad hoc Committee to review multi-family housing projects, the Council may wish to provide guidance to the ad hoc Committee and staff regarding the scope of what should be addressed and at what point in the development review process the ad hoc Committee would meet (i.e.: does the Committee's review apply to all applications, both pre-application and after a filing, or is it limited only to pre-application or formally filed applications?). Depending upon how it is handled, one could anticipate that adding an additional review step to the process could extend the time frame for project review.

The Zoning Code is currently designed to provide quantified standards for development. Should the City Council wish to provide for more "flexibility"/discretionary review on multi-family housing projects, the City Council would need to amend the Zoning Code. Further, actions on multi-family housing projects are subject to Planning Commission approval and are not subject to Council review unless the project is appealed.

If it is the Council's desire to depart from the current quantified standards and provide for more discretionary review of projects on a case-by-case basis, and/or if the Council wishes to have the City Council rather than the Planning Commission be the final authority for multi-family developments, it would be helpful to provide direction for what should be brought back to the Council for consideration in the form of an Amendment to the Zoning Code.

Policy
Reference:

Zoning Code

Fiscal
Impact:

None at this time

Options:

- a. That the City Council leave the current Moratorium unaltered until April 19, 2000 to allow a Zoning Code Amendment with new / revised multi-family development standards to become effective, and;

That the City Council provide staff with direction regarding (1) whether or not to establish an ad hoc Committee, (2) what the scope of review should be for this Committee, (3) whether or not the City Council wishes to amend the Zoning Code to provide for a more discretionary review of multi-family developments, and (4) if there is to be more discretionary review, what form should that review take.

- b. That the Council determine to terminate the current Moratorium on approval of multi-family housing projects at this time and direct staff to proceed with the processing of an amendment to the Zoning Code without a Moratorium (hence, any projects filed before the effective date of any new development standards would be subject to the development standards in place at the time the application is found to be complete. Further, that the Council provide staff with direction regarding the ad hoc Committee and adding more discretionary review to the Zoning Code (items # (1)-(4) in Option "a");
- c. Amend, modify or reject the foregoing options.

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