

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council

FROM: Community Development Director via City Manager

SUBJECT: **Draft Ordinance 566 to Amend Brisbane Municipal Code Titles 16 and 17 Regarding Condominiums**

DATE: November 5, 2012

City Council Goals:

To provide for effective and efficient delivery of City services (Goal #1).

Purpose:

For the City Council consider how it wishes to process a number of pending Zoning Ordinance amendment cases to implement the Housing Element, including Ordinances 566, 574 and 575.

Recommendation:

That the City Council continue Ordinance 566 off calendar (to be re-advertised) and consider the procedural options outlined in this staff report and provide staff with direction.

Background:

The adopted 2007-2014 Housing Element includes a number of policies and programs requiring amendment of the Zoning Ordinance to address housing-related issues. The Planning Commission over the past approximately 18 months held numerous workshops and public hearings considering several of these amendments. While some of these amendments have been adopted by the City Council, there are several which were recommended for approval by the Planning Commission and are pending before the City Council.

These include Ordinance#566 (Condominium Conversions and related) which was heard and continued by the City Council on October 15, as well as Ordinance #574 (Lot Merger Procedures) and Ordinance#575 (Substandard Lot Regulations), which were previously advertised for tonight's hearing.

While these draft ordinances are primarily technical and non-substantive in nature (in many instances intended to bring local ordinance into compliance with State law), they can involve substantial rewriting of existing Code provisions. The process of going through these revisions in detailed fashion can be time-consuming and complex, as was demonstrated in the previous City Council hearing on Ordinance #566. It is possible that the hearings on the referenced pending ordinances could be similar in complexity and length.

Discussion:

Based on the previous experience with Ordinance #566, staff has concerns that utilizing the public hearings for a detailed review of these ordinances may impact the City Council's meeting agendas by limiting the time available for consideration of other matters. Given this timing concern and the technical nature of the proposed ordinances, the City Council may wish to consider referring these ordinances to either a standing or ad hoc subcommittee for detailed review in advance of the public hearings. Absent such an approach, the draft ordinances will be considered through the regular public hearing process. As noted previously, Ordinances #574 and 575 have been advertised and are on tonight's agenda. In regard to Ordinance #566, staff is still in the process of preparing responses to the issues raised at the October 15 hearing, and would recommend this matter be further continued.

Fiscal Impact:

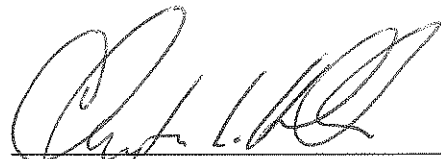
None.

Measure of Success:

To establish an efficient and inclusive process for the City Council's review of pending Zoning Ordinance amendments, thereby enabling the City to comply with its obligations under the Housing Element.



John Swiecki, Community Development Director



Clay Hofstine, City Manager