



MAYOR & COUNCIL MEMORANDUM

Subject: Land Use Code Reformatting Project – (*Citywide*)

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Issue – This is a study session to give an update to the Mayor and Council regarding the reformatting of the City’s Land Use Code (LUC). For several years, the Mayor and Council have received comments from the development community and neighborhood groups regarding the difficulties inherent in the LUC, adopted in July 1995. A consultant with knowledge of zoning ordinances nationally has reviewed these concerns. This consultant has defined key issues and provided recommendations that the LUC be reformatted to be more user-friendly. Staff has prepared a scope of work and a basic public participation program to follow the reformatting process.

Background – Several presentations have been made to the Mayor and Council since January 2005 recommending that the Land Use Code be revised. See Attachment A for a detailed list of dates.

Staff has retained Clarion Associates, a national zoning code consultant, to prepare a diagnostic report specifying the key issues in the LUC that needed to be revised, provided a set of recommendations and a preliminary outline of a future LUC that it calls a unified development code.

The strongest commentary by Clarion Associates noted that the LUC, Development Standards, Section 23A – Procedures, and Design Guidelines Manual combined to make one of the most complicated sets of development review documents they have encountered. Their recommendation is to integrate key parts of these documents in a way that will make them easier to use, have fewer redundancies and remove or reduce the need for cross-referencing.

Based on advice from the consultant, staff will add portions of the Development Standards to the LUC that should be included as regulations. Other information contained in the Development Standards, Section 23A and the Design Manual will be separated and compiled into two development documents tentatively called the Administrative Manual and the Technical Engineering Manual.

Scope of Work – Staff has worked with Clarion Associates to produce a work program reformatting the Land Use Code with attention to the recommendations outlined in the Clarion Diagnostic Report and Outline Report. Both of these documents have been publicly available on the Department of Urban Planning and Design website for several months. The expected cost for the reformatting project is \$140,000. The consultant will be working with staff on creating a draft of the reformatted LUC in the next eight to twelve months. The public hearing process should take between four to six months.

Public Participation – The Land Use Code, adopted in 1995 took over 16 years to research, develop, write and take through the public process to ordinance adoption. The goal of the Department of Urban Planning and Design is that the process will be completed within one-and-a-half to two years. All the stakeholders that originally contributed comments that culminated in the diagnostic report will be asked to provide written comments on issues raised by the diagnostic report. The consultant will hold a day of sessions with groups of stakeholders prior to starting the project. The collected comments will be reviewed for further refinement of the reformatting project.

Updates will be available to the public through the Department website once Clarion Associates begins work. In addition, a committee will be formed, similar to the Neighborhood Preservation Zone Committee, and will be kept updated and asked to comment once draft materials are available during the public process. Consensus items, as well as issues, recommendations and concerns documented by the committee will be forwarded to the Planning Commission, Environmental Planning and Resource Management Subcommittee and, the Mayor and Council during the public hearing process.

Conclusion – Upon approval by Mayor and Council, staff will begin work immediately with Clarion Associates in reformatting of the Land Use Code. A public participation process that provides comment on the reformat efforts will be provided. The process should conclude within one-and-a-half to two years with the adoption of the revised Land Use Code.

Recommendation – Staff recommends the City enter into a contract with Clarion Associates to reformat the Land Use Code and that the public have opportunities to comment on the reformatting effort as noted below.

Respectfully submitted,

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City Manager

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Department of Urban Planning & Design

Attachments:

Timeline of past LUC concerns
Scope of work