

LEGISLATIVE DIGEST

[Zoning - Interim Moratorium Extension on Change of Institutional Use in a Portion of the University Mound Neighborhood]

Urgency Ordinance approving an extension of the interim zoning moratorium on changes of institutional use in a portion of the University Mound neighborhood bounded by Highway 280 on the north, Wayland Street on the south, University Street on the east, and Cambridge Street on the west, for 10 months and 15 days, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Existing Law

Planning Code Section 306.7 establishes procedures for adopting interim zoning controls. If the interim zoning control is a moratorium, the legislation also must comply with California Government Code Sections 65858 et seq., which establishes requirements related to the initial adoption of the moratorium and any extensions thereof. An interim moratorium takes the form of an urgency ordinance, has only one reading of the Board of Supervisors, requires a 4/5ths vote of the Board of Supervisors for approval, and is effective under the same terms as a Board of Supervisors resolution. If certain public notice requirements are not met when the Board first adopts an interim moratorium, the initial extension of a moratorium can last no longer than 10 months and 15 days.

Amendments to Current Law

This extension of the interim zoning moratorium urgency ordinance would prevent the Planning Department and the Planning Commission from issuing an approval or authorization for any change to an institutional use for an additional 10 months and 15 days in the University Mound neighborhood bounded by Highway 280 on the north, Wayland Street on the south, University Street on the east, and Cambridge Street on the west. The legislation would apply to changes in use from an existing institutional use, as defined in Planning Code Section 209.3, to another institutional use or from an institutional use to any other permissible use in the RH-1 (Residential Housing, One-Family) Zoning District. The ordinance also adopts various required findings and affirms the Planning Department's determination under the California Environmental Quality Act. The legislation requires the Planning Department to prepare a report on measures that could address the zoning concerns identified in the ordinance and the Clerk to schedule a hearing on the Department's report.

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