

MOTION

As the Council continues to deliberate any proposed ordinance to streamline affordable housing projects by codifying Executive Directive 1, it is of utmost importance and in the interest of the public that the City ensure that any streamlined affordable housing development project located in a Historic Preservation Overlay Zone (HPOZ) neighborhood preserve the City's HPOZ Preservation Plans and complement its historic character, inasmuch as all exterior work, including landscaping, alterations, additions, and new construction, is subject to additional Planning Department review.

In a report dated November 28, 2023, the Planning Commission recommended approval of a proposed ordinance (Council File No. 23-0623-S1) to amend the Municipal Code, to establish procedures and performance standards for administrative approval of one hundred percent affordable housing projects.

The proposed ordinance is anticipated to reduce the need for affordable housing projects to request discretionary planning entitlements, and thereby streamline their approval to address the City's housing crisis. The impact of this proposed ordinance as it relates to affordable housing development projects located in the City's 35 adopted local historic districts, also known as HPOZs, is still being debated. Similar to other zoning overlays, HPOZs provide an additional layer of land use regulatory control.

To preserve the character of HPOZ neighborhoods, the Planning Department must ensure that any streamlined one hundred percent affordable housing project is not out of scale, and foremost that it is in compliance with HPOZ Preservation Plans.

I THEREFORE MOVE that the Council instruct the Planning Department, in consultation with the City Attorney, to prepare and present a citywide Interim Control Ordinance (ICO) within 30 days to impose temporary regulations restoring the existing HPOZ discretionary review process on the issuance of permits associated with any demolition, building, use of land, grading, and other applicable permits for the new construction of one-hundred percent affordable housing projects that are currently subject to a ministerial approval process located in a Historic Preservation Overlay Zone (HPOZ) neighborhood, and thereby ensure compliance with HPOZ Preservation Plans.

I FURTHER MOVE that the ICO include an Urgency Clause, making it effective upon publication, and consistent with California Government Code §65858, the ICO shall run for 45 days, with a 10-month and 15 day extension by Council Resolution, and can be further extended for an additional 1 year, or until the adoption of the appropriate land use regulatory controls have been prepared by the Planning Department, adopted by the Council and become effective, whichever occurs first.

PRESENTED BY:


KATY YAROSLAVSKY
Councilwoman, 5th District

SECONDED BY:




APR 26 2024

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