

**Amendment to CB15-0541 related to a moratorium prohibiting
development plans of approved site development plans utilizing
Garden Court building form for a period of 12 months.**

Councilmember New

July 25, 2016

Councilmembers,

I move to amend **CB15-0541** as follows:

- 1) On page 1, line 6, strike the word **“prohibiting”** and insert the word **“on”**.
- 2) On page 1, line 8, after the words **“construction of”**, insert the word **“certain”**.
- 3) On page 2, line 5, after the words **“be approved”**, strike the words, **“, in order to permit,** and insert a comma and the words, **“, with some”**.
- 4) On page 2, line 6, begin the sentence with the word **“exceptions,** and insert the words **“in order to permit”**.
- 5) On page 2, line 13, Section 1; after the words **“under the Code”** add the following language:

“Notwithstanding the foregoing, applications proposing to use the Garden Court building form may be processed, so long as they comply with all applicable requirements of the Code and meet the following condition: notwithstanding the street-facing courtyard width defined in the district specific standards of the Code, the proposed street-facing courtyard width is equal to or greater than the maximum height in feet of the proposed building(s) abutting the courtyard.”
- 6) On page 2, line 14, strike the entire Section 2 language, and insert the following language as the new Section 2:

“Section 2. For purposes of administering Section 1, above, the term Garden Court shall mean: a Multi Unit Dwelling development where dwelling units arranged side-by-side, and no part of any dwelling unit is constructed vertically above any part of another dwelling unit and each building bounding the courtyard shall contain at least one dwelling. A minimum of fifty percent (50%) of the surface of the courtyard shall be permeable.”
- 7) On page 2, line 19, strike the entire Section 3 language, and insert the following language as the new Section 3:

“Section 3. The provisions of Section 12.3.3.12 of the Code dealing with inactive applications shall not apply to site development plan applications that have been submitted to the City but that have not been approved on or before the effective date of this ordinance (“pending applications”); however, upon expiration of this moratorium the provisions of Section 12.3.3.12 shall apply to pending applications.”

- 8) On page 2, after Section 3, insert the following language as the new Section 4:
“Section 4. This moratorium shall expire August 26, 2017.”

PURPOSE OF THE AMENDMENT

The amendments are being proposed to the Garden Court moratorium bill to allow current projects already in the pipeline to move forward as long as the projects comply with the added conditions.