

ORDINANCE NO. 2944

AN ORDINANCE OF THE CITY OF AUBURN, ALABAMA, TO PROTECT THE
HEALTH, SAFETY AND GENERAL WELFARE OF THE PEOPLE RELATING TO
MULTIPLE UNIT DEVELOPMENTS, REGULATIONS, DECLARING A
MORATORIUM ON THE CONSTRUCTION OF MULTIPLE UNIT
DEVELOPMENTS WITHIN THE UNIVERSITY SERVICE ZONING DISTRICT
LOCATED EAST OF COLLEGE STREET

WHEREAS, the City of Auburn, Alabama, has previously determined that the proliferation of multiple unit developments in the City of Auburn must be monitored to prevent excess units from negatively impacting the safety, health and welfare of its citizens; and

WHEREAS, the City of Auburn has determined that multiple unit development construction has continued since *CompPlan 2030* was adopted on October 4, 2011 in which the continued proliferation of multi-family housing was identified as one area of concern; and

WHEREAS, *CompPlan 2030* contains a number of policy recommendations to discourage urban sprawl and to encourage urban infill, including permitting multiple unit development by right in the University Service (US) zoning district and the Urban Core (UC) zoning district, but requiring conditional use approval in all other zoning districts; and

WHEREAS, in 2012, in furtherance of *CompPlan 2030*, the City Council commissioned the Danter Company to conduct a multiple unit development market study which, among other things, encourages multiple unit development within one (1) mile of campus (specifically, Haley Center) principally in the University Service (US) zoning district and the Urban Core (UC) zoning district; and

WHEREAS, on February 17, 2015, the City Council approved Ordinance No. 29-16 instituting a six (6) month moratorium on the construction of multiple unit developments within the University Service (US) zoning district located east of College Street; and

WHEREAS, the purpose of said moratorium is to provide time for certain studies and investigations to be conducted to properly plan for the location, density, height, and bulk of multiple unit developments, including but not limited to land use studies, zoning studies, and housing market studies, to prevent further development from causing deterioration of existing neighborhoods, decreased property values, increased demand for City services, traffic congestion, negative environmental impacts, negative economic impacts, harm to the aesthetics of the City and to preserve the character of the City of Auburn; and

WHEREAS, a detailed investigation has been undertaken and a report has been prepared by the City Planning Department, and the 2012 Danter Company multiple unit development market study has been updated (*A Student Housing Analysis in the City of Auburn, Alabama*, May 14, 2015); and

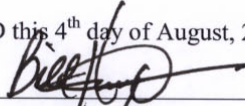
WHEREAS, said Planning Department moratorium report contains a number of recommendations pertaining to development standards for multiple unit developments in certain areas of the City; and

WHEREAS, it is necessary for the City Council to continue to temporarily halt construction of multiple unit developments within the University Service (US) zoning district located east of College Street while the recommendations contained in the Planning Department moratorium report are further evaluated by the Planning Commission and City Council and specific zoning amendments are prepared for consideration and adoption.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUBURN, ALABAMA, on August 4, 2015 as follows:

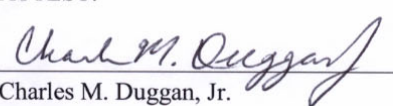
- Section 1. That there is hereby declared, effective on the publication date of this ordinance, a moratorium on the construction of multiple unit developments per the City of Auburn Zoning Ordinance, regardless of whether the structure is an apartment, condominium or other form of ownership or operation, within the University Service (US) zoning district located east of College Street.
- Section 2. That this moratorium shall not affect or impact any multiple unit developments which have, on or prior to the publication date of this ordinance, received a zoning certificate from the City Planning Department; and, a valid land disturbance permit from the City Public Works Department, or a demolition, construction or building permit from the City Codes Enforcement Division. Provided, however, that if said zoning certificate or permits have expired prior to the publication date of this ordinance they cannot be renewed or extended.
- Section 3. The moratorium shall be effective immediately upon passage and publication as required by law and shall continue through December 15, 2015, unless terminated or extended by action of the City Council.
- Section 4. That all laws, regulations and ordinances inconsistent herewith are temporarily suspended or superseded by this ordinance until this ordinance is revoked or amended by further action.
- Section 5. That the City Planning Department, City Public Works Department and City Codes Enforcement Division shall enforce this ordinance by not issuing any zoning certificates or land disturbance, construction or building permits for multiple unit developments in the corporate limits within the University Service (US) zoning district located east of College Street.

PASSED, ADOPTED AND APPROVED this 4th day of August, 2015.



Bill Ham, Jr., Mayor

ATTEST:



Charles M. Duggan, Jr.
City Manager / Clerk