



STAFF REPORT

Meeting Type: City Council Meeting
Meeting Date: December 2, 2024
From: Josh Soper, City Attorney
Subject: PUBLIC HEARING – Resolution 2024-24: Extension of Existing Moratorium on Development

DECISION TO BE MADE:

Whether to approve Resolution 2024-24, which would extend the duration of the development moratorium while the City continues to work to address its wastewater system challenges.

PURPOSE / OBJECTIVE:

To ensure continue compliance with the terms of the Consent Decree relating to the City's wastewater system.

BACKGROUND / CONTEXT:

The City Council [previously enacted a development moratorium on June 3, 2024](#), as a result of the ongoing capacity issues the City is experiencing with its wastewater treatment system. That moratorium is scheduled to expire on December 3, 2024.

The Consent Decree requires the City to take whatever actions are necessary, including enactment of a development moratorium, to limit new connections to the City's sanitary sewer system, and modifications to existing connections to the City's sanitary sewer system that increase flows, in accordance with the capacity cap established pursuant to the Consent Decree.

The City continues to make great strides toward both (1) acquiring increases to the capacity cap under the Consent Decree in the near term, and (2) planning and working toward a long-term solution to eliminate the capacity cap entirely. The City Council will be briefed on the substantial progress of the City's Wastewater Facility Plan Amendment during the December 2nd work session. At this time, however, the capacity cap that was in effect when the current moratorium was adopted remains in effect.

KEY CONSIDERATIONS / ANALYSIS:

In order to ensure continued compliance with the Consent Decree, it is necessary to extend the current development moratorium while the City's work to address wastewater system capacity issues is ongoing.

BUDGET IMPACT:

No immediate budget impacts to this extension are anticipated.

RECOMMENDATION:

Staff recommends adoption of Resolution 2024-24.

SUGGESTED MOTION LANGUAGE:

"I move to adopt Resolution 2024-24."

LIST OF ATTACHMENTS / EXHIBITS:

- Resolution 2024-24, extending a moratorium on development pursuant to ORS 197.505 to 197.540 based on limited sanitary sewer capacity