

July 27, 1994
REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL

ZONING CODE UPDATE

Because of continuing cutbacks in City Attorney's staff, we are unable to provide proper legal review and drafting for the total amount of work which is being processed into the office. As a result, it is necessary that we prioritize our work.

Deputy City Attorney Joe Schilling has recently decided to take a leave of absence without pay to pursue a master's degree in environmental law at George Washington University. Hopefully, he will return to us next year with his new skills. Ann Moore, who has been working with Mr. Schilling for the past several months on the Zoning Code Update, is now fully occupied in providing legal services to her designated clients, primarily the Development Services Department. Due to budgetary restraints we are unable to fill in behind Mr. Schilling. Without him we simply do not have the staff to continue reviewing the voluminous documents constituting the present draft of the Zoning Code Update.

If and when economics allow an adequate level of staffing for this department, we will continue work on the Update.

A tentative review of the present draft, however, indicates that at least two experienced deputies will be needed full time for a period of at least 4 to 6 months in order to create a legal document which can be approved as to form and legality. As noted in the attached memorandum, a significant part of the problem is that portions of the existing code were "expedited" through the office without the thorough legal review which is necessary to avoid legal ambiguities and inconsistencies within the various portions of the code.

We must insist on sufficient time and staff to give any proposed changes to the code the thorough review necessary to develop the clear, concise, simplified and streamlined new code envisioned by the Council, the City Manager, and the public.

Respectfully submitted,

JOHN W. WITT

City Attorney

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Attachment

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RC-94-30

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