



STAFF REPORT TO THE PLANNING COMMISSION

February 20, 2018

TO: Members of the Planning Commission

SUBMITTED BY: Holly Smyth, AICP Planning Director
Elaine Hsieh, Planning Intern
Robert Reber, Adjunct Planner

SUBJECT: Consider Approving Resolution #18-04 Recommending the City County Adopt an Ordinance for proposed Zone Text Amendment #ZTA 18-02 Related to Paving of Front and Rear Yards of Single-Family Residences

RECOMMENDATION:

Receive report, open public hearing, discuss potential changes that should be incorporated into #ZTA 18-02 based on input, and consider approving Resolution #18-04 recommending that the City Council adopt an Ordinance with the proposed Zone Text Amendment #ZTA 18-02.

DISCUSSION:

At its regular meeting on December 12, 2017, the City Council directed staff to schedule for discussion concerns regarding the paving of front yards on single-family lots, as solid surfaces in place of landscaping on household lots can affect property values, create problems with run-off, and lead to visual blight and safety hazards.

At its January 23, 2018 regular meeting, City staff reported to City Council Staff that the Hercules Zoning Ordinance does not have specific requirements regulating the paving of yards on single-family lots. Staff recommended the adoption of regulations to more specifically address the paving of yards on single-family lots.

Council directed staff to prepare an ordinance for Planning Commission and Council consideration to regulate the paving of yards on single-family lots (without limitation to front lawns) that would also address the related concern of parking on front lawns, and asked the City Attorney to report on the feasibility of adopting an interim paving moratorium for Council consideration if the drafting of appropriate regulations would require significant staff time.

At the regular City Council meeting on February 13, 2018, City Council accepted the City Attorney's and City Manager's recommendation that Council defer imposing a moratorium on yard paving and instead consider adopting a set of regulations to be considered for recommendation by the Planning Commission at its February 20, 2018 meeting.

The Planning Director coordinated with the City Attorney Tang, City Engineer Roberts, Planning intern Hsieh, and Adjunct Planner Reber to review other City's policies on the topic and technical best practices that might be best applied to the City of Hercules. The result is the attached zone text

amendment that would revise the Hercules' Zoning Ordinance in response to what appears to be Council's concerns about the potential damaging effects paving large portions of properties has on runoff and neighborhood character within single-family neighborhoods. Most single family residential areas that have front yard paving opportunities are located east of San Pablo Avenue within the Residential Single Family Estate (RS-E), Residential Single Family Low Density (RS-L), and the Planned Commercial Residential (PC-R) zone districts within non-Homeowner's Association areas. It is unclear if the Historic Town Center or the New Pacific Properties Specific Zone areas would be impacted much if applying changes in the policies given existing residences have homeowner associations which may further limit paving on properties.

In summary, the proposed attached modifications would:

- 1) Add standards for site coverage maximums for front yard and back yard areas (not just the entire lot) within the RS-E, RS-L and PC-R districts and modify the RS-L Overall site coverage from 50% to 47% based on our soils/slopes/engineering runoff standards
- 2) Add minimum 20% landscaping percentages for RS-E and RS-L single-family residential zone districts and leave 10% landscape requirement in the PC-R district
- 3) Include performance standards related to runoff control, subject to City Engineer evaluation and approval.
- 4) Change Section 30.700.1.B from "All *new* single-family residential estate lots" to "All single-family residential estate lots" and add reference to specific landscape criteria in Section 30.700 (Landscaped Areas).
- 5) Create policy specific to paving, adding "Chapter 30.750 – Paving," to clarify the maximum paved areas allowed on residential property for sidewalks, pathways, driveways, and decks.
- 6) Amend Section 30.800, "Open Space," to clarify that usable open space (e.g., for sidewalks, pathways, driveways, decks, etc.) does not count towards landscaping minimums in RS-E and RS-L zones.
- 7) Amend the Zoning Ordinance definitions Section 60.200 to include definitions for "Landscaped Area," "Mulching," "Hard Surface Area," and "Site Coverage."
- 8) Add Zoning Ordinance definition of "Paved Areas" in Section 60.200 to clarify texture and use of solid surfaces.

ATTACHMENTS:

Attachment 1: Draft Resolution # 18-04 recommending that City Council adopt Zone Text Amendment 18-02 Paving Policy

Attachment 2: Exhibit A to Resolution #18-04 – Zone Text Amendment #ZTA 18-02