



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of May 8, 2018

TO: Members of the City Council

SUBMITTED BY: Holly Smyth, AICP, Planning Director
Elaine Hsieh, Planning Intern
Patrick Tang, City Attorney

SUBJECT: Consider Approving an Ordinance to Adopt Proposed Zone Text Amendment #ZTA 18-02 Related to Establishing Restrictions on Paving of Residential Lots

RECOMMENDATION:

Receive report, open public hearing, discuss potential changes to #ZTA 18-02, and consider waiving the First Reading and introducing an Ordinance with the proposed Zone Text Amendment #ZTA 18-02 related to Paving on residential lots.

COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:

The Planning Commission held two public hearings at their February 20, 2018 and April 16, 2018 meetings based on initial direction provided by the City Council to address concerns about excessive paving of yard areas occurring in the City. Resolution 18-08 was approved by the Planning Commission recommending the Council consider modifications to the City's Zoning Ordinance through #ZTA 18-2 to implement a new paving restriction policy contained in Attachment 2.

FISCAL IMPACT OF RECOMMENDATION:

No fiscal impact.

DISCUSSION:

On January 23, 2018, the City Council of the City of Hercules had an initial discussion regarding excessive paving in yard areas of residential properties and directed staff to work with the Planning Commission to draft a new City policy to curb excessive paving (see Attachment 4). The Planning Commission undertook an initial discussion on February 20, 2018, and the matter was continued to April 16, 2018, to allow for some refinement.

During the April 16, 2018 Planning Commission meeting some additional modifications from the proposed resolution were requested to expand and modify the example graphics and add language suggested by City Attorney regarding promulgation of implementing administrative guidelines. It is anticipated that these guidelines would help explain the implementation of the paving policy to the public, which would most likely be in a pamphlet format and detail acceptable permeable versus impermeable

surfaces, in addition to providing more specific details for storm water runoff and impermeable surfacing coverage in zone districts other than RS-L.

An Ordinance has been drafted by staff following the recommendations of the Planning Commission which would create a new section 30.750 for the majority of the paving policy, amend Section 5.700 to require a paving permit for any hard surfacing over 120 square feet, and add new definitions to the definitions section of the Hercules Zoning Ordinance. A public hearing notice for this item was published in the newspaper on April 27, 2018 as required for Zoning Ordinance Amendments for the May 8, 2018 City Council meeting.

Attachments:

- 1** Draft Ordinance on Paving
- 2** Approved Planning Commission Recommending Resolution #18-08
- 3** Planning Commission Staff Reports with Attachments from 4/16/18, 3/19/18 (cancelled meeting), and 2/20/18 meetings
- 4** City Council staff report with attachment from 1/23/2018