



STAFF REPORT TO THE CITY COUNCIL

DATE: April 23, 2019

TO: Members of the City Council

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

SUBJECT: Consider Final Approval of an Ordinance to Adopt Proposed Zone Text Amendment #ZTA 19-01 related to Noticing Requirements

RECOMMENDED ACTION:

Waive the Second Reading and Approve an Ordinance adopting Zone Text Amendment #ZTA 19-01 amending Hercules Municipal Code Section 13-44.200 – Application Processing and Hearing Notice.

COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:

On March 18, 2019, the Planning Commission held a public hearing and adopted Planning Commission Recommending Resolution #19-02, which reflects proposed modifications to Hercules Municipal Code Section 13.

DISCUSSION:

At the regular Council meeting of April 9, 2019, the City Council convened a public hearing, waived the first reading, and approved introduction of an ordinance incorporating the changes prepared by staff and recommended by the Planning Commission. The Council exercised its discretion to not adopt the additional Planning Commission recommendations to a) remove the requirement for the applicant to provide the mailing list for the required noticing, and b) make the requirement for posting at three locations applicable to all projects, and not just projects that require 1,000 or more notices.

The attached draft Ordinance (Attachment 1) incorporates the recommendations of the Planning Commission, city staff, and the City Attorney with the modifications as directed by Council at the April 9, 2019 Council meeting.

ATTACHMENTS:

1 Draft Ordinance amending HMC Title 13-44.200