



## STAFF REPORT

**Meeting Date:** September 20, 2016

**To:** Honorable Mayor & City Council

**From:** Ryan Gohlich, AICP, Assistant Director of Community Development /  
City Planner

**Subject:** Written Report Describing the Measures Taken to Alleviate the  
Conditions which Led to the Adoption of the Urgency Ordinance  
Concerning Grading in the Hillside Area.

**Attachments:** None

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### **BACKGROUND**

On August 17, 2016<sup>1</sup>, the City Council adopted an interim ordinance regulating landform alterations of certain lots in the Hillside Area of the City. Specifically, the interim ordinance requires discretionary review whenever more than 1,500 cubic yards of earth material is imported/exported from a lot in the Hillside Area of the City that is immediately adjacent to a street that is less than 24' in width. The interim ordinance is valid for an initial period of 45 days from its date of adoption, meaning that the interim ordinance will expire at 12:01 AM on October 2, 2016 unless further extended.

### **DISCUSSION**

Pursuant to Government Code Section 65858(d), 10 days prior to expiration of the interim ordinance, the legislative body shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance. Accordingly, this report constitutes the legislative body's written report and transmits information on the measures taken to alleviate the Hillside Area grading issues addressed in the interim ordinance.

In order to address the concerns highlighted in the interim ordinance, the Community Development Department is in the process of undertaking a comprehensive study of the Hillside Area development standards to address, among other things, increased grading and excavation

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<sup>1</sup> The City Council meeting was called to order on August 16, 2016; however, action on the subject matter occurred on August 17<sup>th</sup> since the hearing went past midnight.

that results in large volumes of imported/exported earth material from residential properties. This comprehensive study has been set as an "A Priority" by the City Council and will be undertaken over the next several fiscal years. At this time, \$150,000 has been allocated for said study.

In addition to the comprehensive study described above, a permanent ordinance has been adopted by the City Council that sets the same discretionary review thresholds for import/export of earth material as those contained in the interim ordinance. The permanent ordinance was adopted on August 30, 2016 and will take effect at 12:01 AM on September 30, 2016. Given that the permanent ordinance will take effect prior to expiration of the interim ordinance, there is no need to extend the interim ordinance at this time.

**RECOMMENDATION**

It is recommended that the City Council issue this report to be consistent with Government Code Section 65858(d), and that no further action be taken to extend the interim ordinance since the permanent ordinance will become effective prior to expiration of the interim ordinance.



Susan Healy Keene, AICP,

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Approved By