

5.04: PUBLIC HEARING: Consider Ordinance #15-03 Amending City Code Section 117-351 (Home Occupations)

Public Hearing

Chairperson Levine called the public hearing to order at 8:25 p.m.

Presentation

City Planner Anderson presented the staff report stating the purpose of this case is to consider amendments to the City Code Section 117-351 (Home Occupations). As the Planning Commission may recall, this Section of City Code was discussed early in 2014 in response to several recent applications for Home Occupation Permits. At that time, the Planning Commission expressed support for potential amendments that would better ensure the peace, safety, and aesthetics typical of a residential neighborhood. The proposed revisions are intended to provide clarification for when a Home Occupation Permit is required, attempts to provide provisions for or differentiate an independent contractor and other home occupations, and attempts to strengthen the overall ordinance to ensure the tranquility of a neighborhood is maintained. Key revisions included limiting to one the number of commercial vehicles and equipment being stored on a property; how excessive traffic is defined; reiteration of how a low impact home-based business is defined; clarification of the meaning of “employee”; signage regulations; and delivery regulations. Staff further discussed the request and recommended the Planning Commission recommend that the City Council adopt Ordinance #15-03.

City Planner Anderson stated that staff is interested in the Commission’s feedback on the ordinance revision and would like to get a policy statement from the Commission. Staff’s intent is to bring this ordinance to a City Council work session before bringing it to the City Council for their approval.

Citizen Input

There was no public input.

Motion by Commissioner VanScoy, seconded by Commissioner Nosan, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners VanScoy, Nosan, Bauer, Brauer, and Maul. Voting No: None. Absent: None.

Chairperson Levine closed the public hearing closed at 8:36 p.m.

Commission Business

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to recommend that the City Council adopt Ordinance #15-03 Amending City Code Section 117-351 (Home Occupations)

Further discussion

Commissioner Bauer asked for clarification of the Commission's role with regard to this ordinance.

City Planner Anderson stated that if the Planning Commission feels the language is appropriate and that it addresses all the concerns that have been raised based on past home occupations, Staff is looking for City Council to adopt the ordinance.

Community Development Director Gladhill stated that the ordinance is being brought before the Planning Commission for approval and then will go to a City Council work session and then be approved by the Council.

Chairperson Levine indicated concern that he was not comfortable adopting an ordinance that was not an ordinance yet.

Community Development Director Gladhill stated that the Commission is acting on Ordinance #15-03 that includes existing amendments to the City Code and that is what Staff is asking the Commission to act on tonight.

Commissioner Bauer discussed the permit application process that gives opportunities for citizens to give their input.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, VanScoy, Brauer, Maul, and Nosan. Voting No: None. Absent: None.