ORDINANCE REVIEW COMMITTEE
June 13, 2023 | 5:00 p.m.

Mayor Gatt called the meeting to order at 5:00 P.M.

ROLL CALL: Mayor Gatt, Mayor Pro Tem Staudt, Council Member Crawford (Absent)

ALSO PRESENT: Thomas Schultz, City Attorney
Charles Boulard, Director of Community Development
Cortney Hanson, City Clerk

APPROVAL OF AGENDA:

Mayor Gatt removed item 3 regarding the City West Ordinance. This committee usually reviews existing ordinances, not new ones. He said there is a lot of concern from the public and he thought it would serve the public better if the full Council reviews the topic at a regular meeting.

ORCM 23-06-01 Moved by Staudt, seconded by Gatt; CARRIED UNANIMOUSLY:

To approve the agenda as amended.

AUDIENCE COMMENT:

Khurram Abbas said he lives in Asbury Park and was interested in what this committee would do to address concerns regarding the City West Ordinance because a lot of residents have concerns related to setbacks and heights.

MATTERS FOR DISCUSSION:

1. Approval of minutes from July 12, 2021:

ORCM 23-06-02 Moved by Staudt, seconded by Gatt; CARRIED UNANIMOUSLY:

To approve the Ordinance Review Committee meeting minutes from July 12, 2021.

2. Proposed amendments to the Zoning Ordinance related to home occupation.

Mr. Boulard said earlier this spring, Council requested that staff explore amendments to the zoning ordinance that regulate home occupations. We've had challenges with that during the spring. Staff looked at several ordinances from around the country and came up with several suggestions that are outlined in the memo. What they are looking for are measurable and easily enforced consistently that would improve interactions of home occupations and neighbors. Mayor Gatt asked how many complaints we get related to home occupations. Mr. Boulard said 2-4 a year. Mayor Gatt asked what those complaints centered around. Mr. Boulard said usually the intensity of the use. For example, there is a dance school run out of a home with 8-10 people dropped off for lessons and the parents wait for them. Another was renting vehicles through an app. He said staff identified a few options and went over them from the memo. Mayor Gatt asked how we would enforce this. Mr. Boulard said an ordinance officer would have to watch the house once if there was a complaint. There is no way to do it

without observing. Mayor Gatt said that's a difficult task and would make it a difficult ordinance to enforce if we pick some of them.

Mayor Pro Tem Staudt said his experience is different. He has 3 specific instances in a small area in his subdivision. One is a commercial sandwich maker that has deliveries by semi every week. It's in violation of ordinance and he was sure they were aware of it. Another is daily renting of vehicles. There is an app where you can rent a car from an individual. It's not a bad deal when its only 1 or 2 cars but what about 7 or 8. The complaints he heard was that there were so many vehicles, they were driving on neighbor's lawn, rentals being picked up at 1am, and using the schools as a pickup point. He said HOA has tried to do things about this in the past. He believes this is a bigger issue than we really know. He thought the neighbors didn't want to turn on each other and report people to the City. An issue he saw becoming a bigger issue is the regulation of temporary rentals of homes, like Airbnb's. Airbnb's are becoming a bigger issue. He's had 3-4 complaints about people who live next to rentals and people throwing parties. He wasn't sure the best way to deal with it. He didn't want staff to be sitting there watching this to track it. Local neighborhoods aren't meant to be rental car lots. We need to be prepared to deal with this as its going to be an ongoing issue.

Mayor Gatt asked if they were being asked to send something to council or just discuss the topic. Mr. Boulard said he wanted to present opportunities, if they thought some of these were worth pursuing, they would work with attorney to draft an amendment for them to see. Mayor Pro Tem Staudt asked if this was an issue in other communities; are they putting new ordinances in place? City Attorney Schultz said zoning ordinances in other communities have home occupation ordinances, but they are vastly different. He said the language probably hasn't been looked at in a while, but what was presented are good options. We might have to handle home occupation and the Airbnb topic separately. We are waiting for the state to pre-empt us from doing anything. It's kind of stalled. We've talked internally about what we might do. He said we'd come back with a draft ordinance for home occupation.

3. Discussion of a new zoning district: CW City West.

This item was removed from the agenda.

The meeting was adjourned at 5:22 p.m.

Recorded by: Cortney Hanson
City Clerk