ORDINANCE REVIEW COMMITTEE
August 8, 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

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

APPROVAL OF AGENDA:

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

To approve the agenda as presented.

AUDIENCE COMMENT: None

MATTERS FOR DISCUSSION:

1. Approval of minutes from June 13, 2023:

ORCM 23-06-03 **Moved by Crawford, seconded by Staudt; CARRIED UNANIMOUSLY:**

To approve the Ordinance Review Committee meeting minutes from June 13, 2023

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

Director Boulard said staff was asked to look at the home occupation provisions of the ordinance. They looked at examples from other communities and considered which would allow us to limit the types of uses that get out of hand like rental cars and dance studios being run in homes. If there is a recommendation from this committee, the ordinance amendment would go to the Planning Commission.

Mayor Pro Tem Staudt said he received calls from residents about this asking if we don't enforce the ordinances we already have, why are we creating new ones. He provided a few examples of things that violate certain ordinances and questioned why the ordinance wasn't being enforced. He said the biggest question was do we enforce the existing ordinances. Director Boulard said they respond when there are complaints and when violations are reported or noticed by staff. Mayor Pro Tem Staudt pointed out that there is currently an ordinance on home occupations and these recommendations are simply adding to it. City Attorney Schultz said yes, things were added to address specific complaints and to clarify the existing ordinance. Mayor Pro Tem Staudt asked whether the covenants of an HOA or the City's Code of Ordinances take precedence. City Attorney Schultz said it's a matter of who can enforce it. The City can enforce it's own Code of Ordinances and the HOA can enforce it's own covenants.

City Attorney Schultz said a few things were added, some of which we specifically requested. Mayor Pro Tem Staudt said he heard complaints about item 2 and pointed out that it was already existing in the ordinance. Director Boulard said we do enforce that currently.

City Attorney Schultz said item 7 is new. This was to enforce against the renting of cars or repairing cars out of a home. He added that all communities enforce these types of ordinances on a complaint basis. Director Boulard explained that usually by the time a person is in violation of an ordinance, it's apparent and that causes complaints. He gave an example of a person who rented their property to people to store their boat on and have 8-10 boats on his property. It would not impact a homeowner storing their own boat.

City Attorney Schultz said item 8 is new as well and it's related to traffic coming and going from a home business. Director Boulard explained this would help us enforce against a home occupation, such as a dance studio, in a home that has 15 kids coming and going every hour.

City Attorney Schultz said item 9 is related to deliveries and explained the idea is to allow the size that people expect, such as Amazon, UPS, etc. It is specific to the home occupation aspect and not routine deliveries.

City Attorney Schultz spoke about items 3 and 4. Item 3 already stated the home occupation has to be in the main building and the proposed amendment is to have no outside storage of goods. Item 4 states that people can't come to your home to pick up something you made there; this was already existing. The new language simply clarifies it. Mayor Pro Tem Staudt said this was an item that needs to be discussed. City Attorney Schultz pointed out that this already existed in the ordinance. Mayor Gatt said unless its something egregious, they wouldn't likely be complaints. Mayor Pro Tem Staudt said this started because of someone renting cars from their home and it became a nuisance. He suggested sending it to the Planning Commission for their remarks. There would be a public hearing, and everyone interested would have a chance to speak about this publicly.

ORCM 23-06-04 **Moved by Crawford, seconded by Staudt; CARRIED UNANIMOUSLY:**

To recommend the proposed amendments to the Zoning Ordinance related to home occupations to the Planning Commission for their recommendation and have this topic return to ORC.

The meeting was adjourned at 6:07 p.m.

Recorded by: Cortney Hanson
City Clerk