

modification of the commission's decision. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.74.070 City council public hearing--Notice. An appeal from or a council review of a planning commission decision shall be scheduled for a de novo public hearing within forty days of the date the written appeal is filed. The city shall provide written notice to the applicant, appellant and all persons who addressed the planning commission on the matter, at least ten days prior to the public hearing. After the public hearing, the city council may: affirm, reverse or modify the commission's decision; remand the matter to the commission; or continue the matter. The council's authority to modify the commission's decision includes but is not limited to imposing additional conditions. The council's decision shall be final and may be rendered by resolution or minute order unless state law requires a resolution. Notwithstanding any other provision in this Code, the commission's decision shall be reinstated when the council is unable to reach a decision for any reason, including a tie vote or series of tie votes, within forty days of the close of the public hearing. In such case, the effective date of the decision shall be the fortieth day after the close of the public hearing, and the Commission's decision shall be final. (Ord. 1048 §2, 2003)

Chapter 17.76

HOME OCCUPATIONS

Sections:

- 17.76.010 Purpose.
- 17.76.020 Home occupation defined.
- 17.76.030 Permit required.
- 17.76.040 Application and fee.
- 17.76.050 Consideration and approval.
- 17.76.060 Annual renewal of permit.
- 17.76.070 Termination of permit.
- 17.76.080 Appeal.

17.76.010 Purpose. The purpose of this chapter is to permit a variety of home occupations within the residential zones while insuring that such uses are conducted in such a way as to insure that no adverse effects will result. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.76.020 Home occupation defined. "Home occupation" means any occupation conducted entirely within the living area of a dwelling unit by persons residing therein, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the residential character thereof and in connection with which there is no display nor stock in trade or commodities sold, and no use of any accessory building or yard space or activity outside of the dwelling unit not normally associated with residential use. Home occupations shall also include the parking or keeping of not more than two unmarked limousines or passenger vans used in connection with transporting persons for hire. The home occupation shall not generate a character and volume of vehicular or pedestrian traffic not normally associated with residential use. (Ord. 963 §39(part), 1995; Ord. 871 §1, 1989; Ord. 822 §1(part), 1989)

17.76.030 Permit required. Any individual desiring to conduct a home occupation must first obtain a permit to do so from the director of community development. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.76.040 Application and fee. Requests for home occupation permits shall be submitted to the director of community development on forms prescribed by the planning commission and the application shall be accompanied by such fee as established by resolution of the city council. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.76.050 Consideration and approval. Following submittal of the application and fee, the director of community development shall review the application and if it meets the criteria of approval, shall approve the application. The applicant shall execute an affidavit at the time of approval agreeing to the following conditions:

A. There shall be no employment of help other than members of the resident family;

B. The use shall not generate vehicular or pedestrian traffic not normally associated with residential uses;

C. No sale or exchange of merchandise shall take place on the premises;

D. No accessory building or yard space use or activity outside of the dwelling unit shall be permitted in connection with the home occupation;

E. No use of commercial vehicles for delivery of goods or materials to or from the premises shall be permitted;

F. No signs or other advertising shall be permitted on the premises;

G. The exterior appearance of the building or of the premises shall not be altered in any manner which changes its residential character;

H. In connection with the parking of limousines or vans used in connection with transporting persons for hire, said vehicles will be parked or kept only in an enclosed garage or on a paved driveway leading to a garage. No person may perform maintenance services on such a vehicle located in the residential zone other than washing, waxing, checking and adding (but not changing) oil, cleaning windows and windshields, or replacing damaged tires. (Ord. 963 §39(part), 1995; Ord. 871 §2, 1989; Ord. 822 §1(part), 1989)

17.76.060 Annual renewal of permit.

The applicant shall be required to execute the affidavit described in Section 17.76.050 annually, during the month of June. Failure to comply shall result in the termination of the home occupation permit. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.76.070 Termination of permit.

The home occupation permit may be terminated for any of the following reasons:

A. Violations of any of the conditions of Section 17.76.050;

B. Failure to execute the annual affidavit; or

C. If the permittee vacates the premises or ceases the home occupation for a period of ninety days. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.76.080 Appeal.

If the home occupation permit is terminated for any of the reasons cited in Section 17.76.070, and the permittee feels that the decision to terminate was incorrect, he may appeal the action to the planning commission in writing, outlining the reasons that he feels that the action of the director of community development was incorrect or arbitrary and including any extenuating circumstances he feels are appropriate. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

Chapter 17.77.

TEMPORARY USE PERMITS

Sections:

- 17.77.010 Purpose and intent.
- 17.77.020 Authority.
- 17.77.030 Application.
- 17.77.040 Required findings.
- 17.77.050 Permitted uses for outdoor events.
- 17.77.060 Development standards for outdoor events.
- 17.77.070 Indoor events.
- 17.77.080 Development standards for indoor events.
- 17.77.090 Prohibited uses.
- 17.77.100 Other regulated uses.
- 17.77.110 Appeals.

17.77.010 Purpose and intent.

The purpose of this chapter is to control and regulate land use activities of a temporary nature which may adversely affect the public health, safety and welfare. The intent is to ensure that temporary uses will be compatible with surrounding land uses, to protect the rights of adjacent residents and land owners, and to minimize any adverse effects on surrounding properties and the environment. (Ord. No. 1143, § 1, 1-25-2011)

17.77.020 Authority.

The community development director has the authority to approve, conditionally approve or to deny such request.