

RESOLUTION NO. PC 2023-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMARILLO RECOMMENDING APPROVAL TO THE CITY COUNCIL OF AN AMENDMENT TO THE ZONING ORDINANCE OF THE CAMARILLO MUNICIPAL CODE CHAPTER 19.65 FOR HOME OCCUPATIONS

The Planning Commission of the City of Camarillo resolves as follows:

SECTION 1. General Findings. The Planning Commission finds as follows:

A. The purpose of the proposed ordinance is to amend the Camarillo Municipal Code (CMC) Chapter 19.65 to streamline the permitting process for office-based home occupations.

B. The Planning Commission is authorized by Chapter 19.72 of the CMC to review and make recommendations on any proposed zoning-related ordinance that seeks to amend Title 19 of the CMC.

C. On October 3, 2023, the Planning Commission conducted a duly noticed public hearing to consider the proposed ordinance amending CMC Chapter 19.65 and has considered all testimony and information presented at the hearing.

D. After reviewing the evidence presented, the Planning Commission finds that the proposed ordinance is consistent with the City's Economic Development Strategic Plan because the ordinance is expected to increase business friendliness, progressing the City's goal of economic development.

SECTION 2. Environmental Findings. The proposed Ordinance is exempt from the California Environmental Quality Act ("CEQA") under the State CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations beginning at Section 15000), specifically: Section 15060(c)(2), because the item will not result in a direct or reasonably foreseeable indirect physical change in the environment; Section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the subject regulations have no potential for resulting in any significant physical change to the environment, directly or indirectly; and Section 15061(b)(3), because the item is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and Section 15378(b)(5), because this item involves an administrative activity that will not result in a direct or indirect physical change to the environment.

SECTION 3. Recommendation of Approval. Based on the above findings, and after receiving evidence and testimony at a public hearing, the Camarillo Planning Commission recommends approval of the proposed Ordinance, attached as Exhibit A, to the City Council.

SECTION 4. Office of Record. The record of Proceedings upon which this decision is based is located in the Department of Community Development, which is the office of record for the same.

PASSED, APPROVED AND ADOPTED on October 3, 2023, by the Planning Commission with the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Chairman of the Planning Commission

Secretary to the Planning Commission

EXHIBIT A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMARILLO, CALIFORNIA, AMENDING THE CAMARILLO MUNICIPAL CODE CHAPTER 19.65 FOR HOME OCCUPATIONS

The City Council of the City of Camarillo ordains as follows:

SECTION 1. General Findings. The City Council finds as follows:

A. On September 5, 2018, the Camarillo City Council approved and adopted the Economic Development Strategic Plan (EDSP) which provides a strategic framework to guide the City's economic development policies and programs. A High-Priority Initiative is to enhance Camarillo's business environment by working with City departments to develop and implement policies and practices that would have a positive impact on the City's business and development friendliness.

B. Title 19 Zoning of the Camarillo Municipal Code (CMC) consolidates and coordinates all existing zoning regulations and provisions into one comprehensive zoning plan to designate, regulate, and control the location and use of buildings, structures and land for residence, commerce, trade, industry, or other purposes.

C. Last updated in 1990, CMC Chapter 19.65 Home Occupations establishes a comprehensive set of regulations to determine if business activity occurring in residential structures is appropriate and provides the required procedures for issuing a Home Occupation Permit.

D. The purpose of this Zoning Ordinance Text Amendment (ZOA) is to update CMC Chapter 19.65 by removing inspection requirements for office-based home businesses and exclude the requirement for multifamily property owner permission in the permitting of office-based businesses.

E. On June 22, 2023, the Economic Development and Land Use Committee received a presentation on a ZOA to CMC Chapter 19.65 and after receiving the presentation supported the creation of the public initiation procedure.

F. On October 3, 2023, the Planning Commission conducted a duly noticed public hearing to consider the proposed amendment to CMC Chapter 19.65 and voted to recommend to the City Council that they adopt the proposed ordinance.

G. On _____, 2023, the City Council conducted a duly noticed public hearing to consider the ordinance and the proposed amendment to CMC Chapter 19.65.

H. After reviewing the evidence presented, the City Council finds that the proposed ordinance is consistent with the City's Economic Development Strategic Plan because the ordinance provides increased business friendliness and will progress the City's goal of economic development.

SECTION 2. Environmental Review. The proposed ordinance is exempt from the California Environmental Quality Act ("CEQA") under the State CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations beginning at Section 15000), specifically: Section 15060(c)(2), because the item will not result in a direct or

reasonably foreseeable indirect physical change in the environment; Section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the subject regulations have no potential for resulting in any significant physical change to the environment, directly or indirectly; and Section 15061(b)(3), because the item is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and Section 15378(b)(5), because this item involves an administrative activity that will not result in a direct or indirect physical change to the environment.

SECTION 3. Chapter 19.65 Home Occupation of the CMC is amended as follows:

A. Section 19.65.020 Requirements B. is amended as follows:

“B. Upon filing a complete application, the director will may cause to be conducted an inspection of the premises for which the application was filed and will provide written notification either approving or denying the application.”

B. Section 19.65.020 Requirements C.13. is amended as follows:

“13. A home occupation may not create a violation and no permit will be approved if any known violations exist relating to the building code, municipal code or zoning ordinance relative to the subject property;”

C. Section 19.65.020 Requirements C.20. is amended as follows:

“20. If the use is in a cluster housing project with a density of five units per acre or greater, the applicant must submit written evidence from the apartment owner, manager or other controlling person or entity that such use is authorized at or in the project, unless the use is exclusively office-based;”

D. Section 19.62.030.Uses Prohibited F. is amended as follows:

“F. Uses which require the storage or use of explosives or highly combustible or toxic materials beyond that permitted by the building code, fire code or other adopted restriction;”

E. Section 19.65.010 is amended as follows:

“A home occupation permit issued in accordance with the provisions of this chapter may be revoked if the director of community development finds that any of the following conditions exist.

- A. That any condition of the home occupation permit has been violated;
- B. That the use has become detrimental to the public health or safety, or constitutes a nuisance as designated in Chapter 9.12 of this code;
- C. That the permit was obtained in a fraudulent manner;
- D. That the use for which the permit was granted has ceased for a minimum of six consecutive months or longer;

- E. That the condition of the premises or of the area of which it is a part has changed so that the use is no longer considered compatible under the meaning and intent of this section;
- F. The business has not maintained a current business license;
- G. That complaints received by persons affected by the operation of a home occupation permit have been substantiated by the department of community development."

SECTION 4. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. Publication. The City Clerk is directed to certify the adoption of this ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED _____, 2023.

Susan Santangelo, Mayor

ATTEST:

Kristy Buxkemper, City Clerk

APPROVED AS TO FORM

Rachel Richman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF CAMARILLO)

I, Kristy Buxkemper, City Clerk of the City of Camarillo, do hereby certify that the foregoing Ordinance No._____, was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the _____ day of _____, _____. That thereafter, said Ordinance No. _____ was duly adopted and passed at a regular meeting of the City Council on the _____ day of _____, 2023, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Kristy Buxkemper, City Clerk