



City of Camarillo

Planning Commission AGENDA REPORT COVER

DATE: October 3, 2023

TO: Planning Commission

FROM: David Moe, Interim Director of Community Development

SUBMITTED BY: Georg Winkler, Economic Development Manager

SUBJECT: Zoning Ordinance Amendment to CMC Chapter 19.65 -
Home Occupations

PROJECT INFORMATION SUMMARY

The City is considering a proposed amendment to the Camarillo Municipal Code (CMC) Chapter 19.65 for office-based home businesses.

PUBLIC HEARING NOTICE

A Notice of Public Hearing for the Planning Commission meeting of October 3, 2023, was posted at Camarillo City Hall, on the City's website (www.cityofcamarillo.org), and published in a newspaper of general circulation for the area (Camarillo Acorn).

DISCUSSION

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; 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.

Background

Chapter 19.65 of the CMC 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. Current procedures include an onsite inspection of the premises for which the application was filed.

To increase business friendliness and the operational efficiency of the City, staff propose a Zoning Ordinance Text Amendment (ZOA) to remove inspection requirements and eliminate the requirement for multi-family property owner consent, specifically when permitting home-based office businesses.

STAFF REVIEW AND RECOMMENDATION

Staff Analysis

Last updated in 1990, CMC Chapter 19.65 established regulations for home-based businesses in a world without the internet. Home offices are now the norm, and the equipment required to carry out business is low-impact and includes items typically found in a household, such as cell phones, tablets, laptops, desktops, or even virtual reality headsets.

CMC Chapter 19.65 requires that, "Upon filing a complete application, the director will cause to be conducted an inspection of the premises for which the application was filed." Staff are bound to operate within the parameters of the Code and must conduct an inspection prior to the issuance of any Home Occupation Permit and business tax certificate. It has been found that this requirement is unnecessary exclusively for office-based home businesses in current times.

Staff conducts an average of 122 home occupation inspections each year. Each inspection takes approximately two hours and includes administration, driving, inspections, and reporting. This equates to staff allocating 244 hours each year, or approximately six work weeks per year, to complete this procedure.

The proposed ZOA maintains the right of staff to inspect properties on a case-by-case basis but does not require an inspection as part of the approval process. If the proposed ZOA is adopted by the City Council, staff will proceed with creating a self-certification procedure as part of the application process for Home Occupation Permits. If applicable, the applicant will be required to certify that their home occupation is exclusively office-based, eliminating the requirement of an inspection for permit issuance. It is anticipated that through the proposed ZOA, home occupation inspections can be reduced by roughly 80%, or by five weeks of staff time each year.

Inspections will still be required for activities that have the potential to impact neighbors, including uses involving machinery, chemicals, or construction materials and equipment. Additionally, the City will retain the right to revoke a permit if it is found that an applicant provided inaccurate information on their application, or if complaints are received for a home-based business and an inspection verifies that the business is in violation of its permit.

Economic Development Strategic Plan

Home-based business environments may be ideal for business services, which are a target cluster identified in our Economic Development Strategic Plan (EDSP). Those services include legal, accounting, design, engineering, e-commerce, marketing, financial services, and communications. Business services are important to support because they provide a high average wage, have strong projected growth, and contribute to the growth of other industries.

Enhancing business friendliness and positioning Camarillo as a startup-friendly city are other priority action strategies in our EDSP. Reducing the burdens on small business owners by making business easier to conduct for this targeted business cluster is vital in achieving those goals. The process of inspecting an applicant's home prior to permit issuance is not considered to be "business friendly" and has received criticism by applicants.

Nearby Communities

Staff researched the permitting process of other cities within Ventura County and found that our procedure of requiring home inspections was not followed by any other city in the area.

- Moorpark – No inspection
- Oxnard – No inspection
- Thousand Oaks – No inspection
- Ventura – No inspection

Typically, jurisdictions require applicants to go through zoning approval to ensure the business type is approved to operate in the home. If approved for zoning, the applicant is provided with the Municipal Code at permit issuance. If violations are discovered through a complaint, a citation is issued by Code Compliance. If not corrected, Code Compliance may revoke the permit.

Economic Development and Land Use Committee

In June 2023, staff presented their findings and recommendations to the Economic Development and Land Use Committee and received favorable support to move forward with the recommended actions.

Staff Recommendation

Amend CMC Chapter 19.65 to, “the director may cause to be conducted an inspection of the premises...” and add an exclusion for property owner consent exclusive to office-based businesses in multi-family units. Additionally, staff recommends the Planning Commission finds the proposed Ordinance exempt from CEQA and adopts a resolution recommending approval to the City Council of a proposed Ordinance amending CMC Chapter 19.65 Home Occupations.

SUGGESTED ACTION

1. Find that 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: Sections 15060(c)(2), 15060(c)(3), 15061(b)(3), and 15378(b)(5).
2. Adopt a resolution recommending the City Council adopt the proposed Zoning Ordinance Amendment to CMC Chapter 19.65 Home Occupations.

ATTACHMENTS

1. Resolution
2. Redline CMC
3. Public Hearing Notice