



Legislation Text

File #: 18-403, **Version:** 1

TO: Mayor Collins and Town Council Members

FROM: Brian Dalke, Interim Town Manager
Andrew M. Miller, Town Attorney

DATE: October 25, 2018

CONTACT:

AGENDA TITLE:

Consideration of Ordinance Number 2018-16; Amendments to Article XVI, Home Occupation, Section 1603, of the Town Zoning Ordinance

RECOMMENDATION:

Adopt Ordinance Number 2018-16

BACKGROUND:

This matter comes before the Town Council because of the Town receiving complaints about properties that maintain home occupations having individuals park vehicles in dirt and grass side yard and front yard areas during the time that the home occupation is operating. Ordinance No. 2018-16 addresses the aesthetic problems and general nuisance issues created by such parking.

Scope of Amendment:

This short addition to the Zoning Ordinance regulations regarding home occupations amends Article XVI, Home Occupations, Section 1603, by adding a new subsection 8 to address on-site parking limitations for those times when the home occupation is being conducted. Essentially, the new section requires that parking of vehicles as part of a home occupation activity be done on a driveway type of surface and not in grass or dirt yard areas. Because aesthetics is one of the main concerns being addressed, the new section also provides that a vehicle that is parked behind a solid wall and gate (typically in a rear yard area) is not subject to a violation, even if parked on grass or a "non-driveway" surface. Other minor changes to Section 1603, as suggested by the Commission and staff, respectively, are: a) to use a uniform reference to "property" or "site" ("property" is now the common term used) in Section 1603; and b) to clarify that short term rental activity is considered to be a home occupation activity (which has been the Town staff's longstanding interpretation and application of the home occupation provisions in Article 16 of the Zoning Ordinance).

The Paradise Valley Planning Commission met on July 17, 2018 to discuss the amendment to Article XVI during a Work Study Session. The Planning Commission then held a citizen review meeting on August 21, 2018. Finally, on September 18, 2018 the Planning Commission met again and recommended approval of the Ordinance to the Council.

The Town Council reviewed the draft ordinance at its September 27, 2018 meeting and provided comments favorable to the draft ordinance and asked that Ordinance No. 2018-16 be scheduled for a public hearing and adoption at its October 25, 2018 meeting.

NEXT STEPS

It is respectfully recommended that the Town Council conduct a public hearing on October 25, 2018 and thereafter adopt Ordinance No. 2018-16.

ATTACHMENTS:

Ordinance No. 2018-16