



**CITY OF BURBANK
COMMUNITY DEVELOPMENT DEPARTMENT
HOME OCCUPATION TASK FORCE
February 11, 2010 Minutes**

The meeting of the Home Occupation Task Force was held in the Community Services Building, 150 N. Third St, on the above date. Terre Hirsch, License and Code Services Administrator, called the meeting to order at 6:10 p.m.

I. ROLL CALL

Members Present: Dr. Keith Sanneman
Eric Michael Cap
La Verne Thomas
Max Canon
Larry Auzene

Staff Present: Terre Hirsch - Asst. CDD Director/License and Code Services
Administrator
Elaine Pease - Sr. License and Code Services Inspector
Bethany Moss - Recording Secretary, License and Code Services
Division

II. ANNOUNCEMENTS

No announcements were made by either members or staff, nor were any written announcements received.

III. APPROVAL OF MINUTES

Member Canon moved, and Member Thomas seconded to approve the minutes from the Home Occupation Task Force meeting conducted on January 28, 2010. The Home Occupation Task Force minutes were approved 4-0, with one abstention from Mr. Auzene. Mr. Auzene was not present for the meeting on January 28, 2010.

IV. ORAL COMMUNICATIONS: (Limited to items on the printed agenda or items regarding business of the Home Occupation Task Force)

No one was present to speak during oral communications, nor were any written communications received.

V. ITEMS

As decided at the initial Home Occupation Task Force meeting conducted on January 28, 2010, the Task Force Members collectively agreed to go through the Home Occupations Ordinance on a point by point basis.

The items below are organized and were discussed beginning with each code section followed by the sub-section, if in fact a sub-section followed.

10-1-671 : PURPOSE AND INTENT:

Mr. Hirsch explained to the Task Force Members that the purpose and intent of the Home Occupations Ordinance is to act as the guiding source of the entire ordinance. Any amendments that may be considered in the sections and sub-sections to follow would also require a recommendation of change in the Purpose and Intent section.

Furthermore, Mr. Hirsch suggested that the Task Force Members go through the entire Home Occupations Ordinance on a point by point basis, return to each section after the ordinance is discussed in its entirety, discuss possible amendments that members would like to consider, and finally to vote upon each section and sub-section for approval. The Task Force Members agreed with this suggestion.

10-1-672 : SPECIFIC RESTRICTIONS:

A. LIMITATION ON NUMBER.

The Home Occupation Task Force discussed the maximum number of home occupations that may be permitted on the premises of a residence.

Mr. Hirsch discussed with the members the importance of restricting a maximum number of home occupations per dwelling, especially in multi-family residences. If the members decided to recommend an increase of the maximum number of home occupations per residence, which is currently two (2) per residence, not only would single family residences need to be taken into consideration, but also multi-family residences.

B. USE CONFINE TO RESIDENTS.

Member Thomas expressed concerns regarding enforcement upon the owners of home occupations after the initial inspection. Her concern was that there didn't appear to be follow-up inspections unless there was a complaint received in regards to the home occupation. Mr. Hirsch explained that the License and Code Services Division Inspectors can return to the residence of the home occupation and request an inspection thereafter the initial inspection regardless if a complaint is received or not.

C. EMPLOYMENT LIMITED TO RESIDENTS.

Member Cap recommended this sub-section become more flexible. Member Cap also provided home occupation code sections from other cities, in particular unincorporated portions of Los Angeles County, to compare and contrast to the City of Burbank's Home Occupations Ordinance. Furthermore, Member Cap explained some other cities allow a single employee per home occupation and suggested to

fellow Members that one (1) employee be allowed per residence in the City of Burbank as well.

During the discussion of this sub-section the possibility of requiring AUP or CUP entitlements were also discussed as a potential Task Force recommendation.

D. MAXIMUM AREA.

Mr. Hirsch discussed and explained the home occupation(s), either singular or combined shall not cumulatively occupy more than four (400) hundred square feet, or twenty (20) percent of the combined square footage of the dwelling. After a detailed explanation by Mr. Hirsch, the members did not have changes to recommend. Further, the Task Force thought this sub-section was very lenient compared to what other cities' ordinances provide.

E. SALES AND DISPLAY.

Home Occupation Task Force Members agreed with the current Home Occupations Ordinance that no commodity shall be sold or displayed on the premises.

F. USE OF REQUIRED PARKING PROHIBITED.

The Task Force Members collectively agreed with this sub-section of the current Home Occupations Ordinance. Task Force Members discussed that no accessory structure, garage or carport, or any other area required for the parking of vehicles be used for any home occupation activity.

G. PERMITTED LOCATIONS; STORAGE.

The Task Force discussed that a home occupation may only be conducted and the storage of materials, equipment, inventory, supplies, and files for the home occupation(s) is only permitted inside the dwelling unit or an entirely enclosed roofed accessory structure that is not a garage. Also, storage may not exceed twenty-five percent or the permitted area for the home occupation. The Members did not offer any recommendations for this sub-section.

H. MATERIALS AND EQUIPMENT.

Task Force Members discussed the materials, equipment, and/or tools recognized as part of a normal household of necessary or convenient for domestic purposes shall be used in the home occupation. In addition, Members discussed electrically operated motors and came to a consensus that one horsepower per motor and a total of two horsepower per residence was excessive. A possible recommendation

to amend this sub-section was suggested by Member Thomas; in particular she felt if a motor was used in conjunction with a home occupation, that the City of Burbank Fire Department personnel or Community Development Department, Building Division personnel should inspect the wiring and power supply.

I. PEDESTRIAN AND VEHICULAR TRAFFIC.

Member Cap expressed that this section should be made more lenient. Mr. Hirsch expressed concern that this is the principal sub-section which separates the residential from commercial character of a neighborhood. All of the Task Force Members felt this was a very important sub-section of the ordinance and should therefore be closely considered. The Task Force agreed that this sub-section will be discussed more thoroughly at a future meeting date. Mr. Hirsch felt that it was important to go through the entire Home Occupations Ordinance before re-discussion of this sub-section to ensure Task Force Members become familiar with all aspects of the code prior to making final decisions.

J. COMMERCIAL VEHICLES.

Mr. Hirsch explained that currently the code describes "suspension weight" as the criteria used to limit the size of a home occupation vehicle. He further said this is no longer a proper measurement of vehicle description and therefore recommended the Task Force review this section.

- (1)** Home Occupation Task Force Members suggested that gross vehicle weight, height and length of the commercial vehicle, and required on-site parking be considered in this sub-section for further recommendation.

Additionally, Member Thomas suggested the requirement of a commercial vehicle for a home occupation be used for residential purposes 51% of the time be removed from the Home Occupation Ordinance because it's unverifiable.

- (2)** Mr. Hirsch discussed the sub-section number two (2) with the Task Force Members and explained that the sub-section refers to courier services such as UPS.
- (3)** Mr. Hirsch explained what the City of Burbank defines as a commercial vehicle and Ms. Pease added that limousines and taxi cabs are also included as commercial vehicles.

K. SIGNS AND AVERTISING.

Home Occupation Task Force Members did not have any suggestions for this sub-section of the current Home Occupations Ordinance.

L. NUSINACE.

Mr. Hirsch explained that this sub-section is a reiteration of the Intent and Purpose of the Home Occupations Ordinance. Home occupations are strictly intended for office uses only. This sub-section reinforces the notion that a home occupation shall not create any radio or television interference, extra pedestrian and vehicular traffic, discernable noise, glare, dust, odor, vibrations, or unreasonable disturbance.

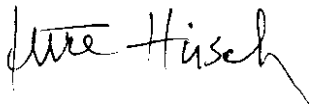
VI. FUTURE AGENDA ITEMS

The Task Force decided the February 25, 2010 agenda would include a continuation of the comprehensive study of the Home Occupations Ordinance, on a point by point basis.

VII. ADJOURNMENT

Task Force member Sanneman moved, and member Canon seconded a motion to adjourn the meeting at 9:15 p.m. The motion was approved 5-0. The next scheduled Task Force meeting will be held on Thursday, February 25, 2010, at 6:00 p.m. in the Community Services Building, Room 101.

Respectfully submitted,



Terre Hirsch, Asst. CDD Director/ License and Code Services Administrator

TH: bm