



**TOWN OF MILLIKEN  
TOWN BOARD  
AGENDA MEMORANDUM**

To: Mayor Tokunaga and Board of Trustees		Public Hearing Date:	
From: Martha Perkins, Community Development Director		January 13, 2016	
Via: Kent Brown, Town Administrator			
Agenda Item #	Action:	Discussion:	Information:
	x		
Agenda Title: Continuation of a Public Hearing/Meeting for the Review and Possible Approval of Ordinance 723 “An Ordinance of the Town of Milliken Amending Sections 16-1-150 and 16-3-620 of Chapter 16, of the Milliken Municipal Code Concerning Home Occupations”.			

**PURPOSE**

To continue the public hearing to a time and date certain for Ordinance 723 “An Ordinance of the Town of Milliken Amending Sections 16-1-150 and 16-3-620 of Chapter 16, of the Milliken Municipal Code Concerning Home Occupations”. The Planning & Zoning Commission requested a joint, legislative work session to discuss the Board’s policy direction for home occupations before making a decision on specific text amendments or code changes.

**BACKGROUND**

The Planning & Zoning Commission opened the public hearing on Ordinance 723 to review staff’s code changes to the Land Use Code relating to home occupations. After opening the public hearing, the Commission requested a joint work session with the Town Board to obtain the Board’s vision for a balance between protecting and maintaining the character of residential neighborhoods while allowing accessory commercial activities in these residential neighborhoods. In addition, the Commission voted to continue the public hearing on Ordinance 723 amending Land Use Code for home occupations after they understand what the Board foresees occurring with changes to the text.

The Commission does not know why the Board seeks these home occupation code changes. Many residents in Milliken have home occupations and these businesses are their livelihood. How does the Board view Milliken now and in the future, as a working-man’s, family-oriented town? How does this vision translate into the Code’s text? The Code implements the Board’s community goals. As an example related to commercial activities in residential neighborhoods, what size of truck is considered too big to have parked in a residential driveway, since many people work out of their trucks and/or bring home maintenance rigs? The Code currently only allows trucks of 8,000 pounds or less to be parked on private property unless the property is

zoned specifically for that use. In addition, specifically related to home occupations, does the Board want to allow small gasoline and electric engine repair, but not vehicle repair? Is the Board comfortable allowing outside storage of material as long as it screened by a privacy fence? Is it reasonable not to require any off-street parking for a home occupation? Is home occupation or business signage allowed? These questions just barely begin to touch upon the overall issue of what should be allowed and not allowed with commercial activities affecting residential neighborhoods. In summary, how does the Board want to retain the existing character and livability of residential neighborhoods while supporting, retaining, and expanding private investment in the community with local employment, goods and services?

### **BUDGET IMPLICATIONS**

Not applicable.

### **RECOMMENDATION**

Staff and the Planning and Zoning Commission recommend a joint, legislative, work session to discuss and obtain guidance from the Board on what it envisions as a balance between protecting and maintaining the character of residential neighborhoods while allowing accessory commercial activities in these residential neighborhoods. In addition, staff and the Commission recommend the continuation of the hearing to approve Ordinance 723 "An Ordinance of the Town of Milliken Amending Sections 16-1-150 and 16-3-620 of Chapter 16, of the Milliken Municipal Code Concerning Home Occupations" in Weld County Colorado. The Planning Commission should recommend approval or denial of the Ordinance before it goes to the Town Board for approval.

### **TOWN BOARD SUGGESTED MOTION**

"I move to continue the public hearing to 7:00 pm on February 10, 2016 to consider the adoption of Ordinance 723 "An Ordinance of the Town of Milliken Amending Sections 16-1-150 and 16-3-620 of Chapter 16, of the Milliken Municipal Code Concerning Home Occupations" in Weld County Colorado and to schedule a joint work session with the Planning & Zoning Commission to obtain policy guidance on how to retain the character of residential neighborhoods while allowing commercial activities as an accessory use in these neighborhoods."