

Folsom City Council Staff Report

MEETING DATE:	3/8/2022
AGENDA SECTION:	Public Hearing
SUBJECT:	Ordinance No. 1325 - An Ordinance Repealing and Re-Enacting Chapter 17.61 of the Folsom Municipal Code Pertaining to Home Occupations (Introduction and First Reading)
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council introduce and conduct the first reading of Ordinance No. 1325 - An Ordinance Repealing and Re-Enacting Chapter 17.61 of the Folsom Municipal Code Pertaining to Home Occupations.

BACKGROUND / ISSUE

Issue: A home occupation is any business-related use within a residential structure or accessory structure that is secondary to the residential use. Considering the ongoing COVID-19-related restrictions during the pandemic, which have had a disproportionate impact on small businesses, as well as the continued growth of home-based businesses, staff was asked to look at whether the City should update its home occupation permit (HOP) regulations to provide more flexibility.

Based on staff's review as well as input from the Planning Commission and the public, the Home Occupations ordinance, which was last updated in 1997, it was determined that the ordinance did need to be updated to address the need for flexibility, provide necessary clarifications, and to reduce inconsistencies with the rest of the Zoning Code. The new draft ordinance is designed to address these issues.

Background: Home-based businesses are regulated by the City in the Folsom Municipal Code (FMC). The owner and operator of a home-based business must obtain a City business

license as set forth in Chapter 5.04 of the FMC. In addition, home-based businesses are subject to the requirements of Title 17 of the FMC, which is commonly referred to as the Zoning Code. Chapter 17.61 provides the regulations associated with home-based businesses through the home occupation permit process. As described in this report, the General Plan policy and the intent of the current chapter in the Zoning Code is to allow home-based businesses while maintaining the residential character of the neighborhood and preventing undesirable impacts to nearby residences often associated with commercial business activity.

To address the intent and purpose of the current ordinance, home occupations (i.e., home-based businesses), as currently set forth in Section 17.61.070 of the FMC, must meet the following criteria:

- Size: The business, including storage or equipment, cannot take up more than 25% of the floor area of the dwelling unit.
- Number of Employees: Employment is limited to the residents and no more than two (2) non-resident employees on-site.
- Clients: Clients are limited to no more than two (2) at one time and no more than eight (8) clients per day. Clients are permitted between the hours of 7:00 am to 10:00 pm on weekdays and 8:00 am to 6:00 pm on weekends.
- Vehicles: Only one (1) commercial vehicle up to one-ton is allowed.
- Parking: Off-street parking must be provided for any commercial vehicle associated with the home occupation (i.e., company car or truck).
- Deliveries: No more deliveries than is normal for a residence (i.e., no more than 1 per day).
- Signage: Signage is limited to one attached, suspended or projecting sign no more than one (1) square foot in size.
- Nuisances: No activity that produces noise, smoke, odors, glare, electrical interference, or vibrations that can be detected beyond the site is allowed.
- Other Conditions: Additional conditions may be imposed as deemed necessary by the Community Development Director consistent with the intent of the ordinance.

The Planning Division of the Community Development Department reviews all home occupation permit applications. Any home occupation permit application that could involve flammable or combustible materials is routed to the Fire Department for review, while applications involving the sales of firearms or massage therapy are routed to the Police Department for review. Planning staff then makes a determination on behalf of the Community Development Director about whether the permit should be approved or denied based on the criteria listed above and input from the Police or Fire Departments. Renewals

are handled by the Finance Department. Complaints related to home-business activities are handled by the Code Enforcement Division in the Community Development Department.

The issuance or denial of a home occupation permit may be appealed to the Planning Commission. The Planning Commission may attach additional conditions to the permit that are necessary to ensure compliance with the intent. The decision of the Planning Commission can also be appealed to the City Council. Once granted, the permit is valid for one year.

In addition to the City's home occupation permit requirements, some residential neighborhoods in Folsom are subject to conditions, covenants, and restrictions (CC&Rs). These are private regulations typically monitored and enforced by a homeowner's association (HOA), which may further regulate or in some cases prohibit home-based businesses. Regardless of what zoning regulations allow, the City has no control over conditions, covenants, and restrictions, or the actions of an HOA.

POLICY / RULE

There are two important policies from the City's 2035 General Plan that relate either directly or indirectly to the issue of home-based business and home occupations. These policies are:

- LU 1.1.1 Zoning Ordinance: Ensure that the Folsom Zoning Ordinance is consistent with the 2035 General Plan.
- LU 6.1.8 Home-Based Businesses: With issuance of a home occupation permit, allow home offices and home-based businesses that are compatible with the character of the residential unit and do not significantly impact the neighborhood.

In addition, the current Zoning Code provides the intent behind the original regulation of home-based businesses through the home occupation permit process and defines a home occupation:

- 17.61.010 Statement of purpose. It is the purpose of this chapter to recognize the residence as a viable location for certain types of occupations and to ensure the compatibility of home occupations with principal residential uses, protecting the integrity and character of the neighborhood by minimizing negative impacts of commercial uses being conducted in residential areas.
- 17.61.020 Home occupation defined. "Home occupation" means any business-related use carried on within a residential structure or accessory structure thereto, primarily by the residents thereof, which use is secondary to the residential use of the structure. The home occupation must not substantially or materially change the residential character of the surrounding neighborhood.

ANALYSIS

Staff analyzed the following issues based on feedback from the public and staff's own experience with the current home occupation regulations including code enforcement complaints. The issue areas included:

- When a home occupation permit should be required
- Hours of operation
- Number of deliveries
- Signage
- Parking
- Number of clients/customers per hour and per day
- On-site versus off-site activities
- Manufacturing and technology businesses
- Inconsistencies between City commercial business regulations and home-base regulations
- Exterior modifications for home-based businesses
- Inappropriate business types for home-based businesses
- Administration

On May 5, Planning staff held a workshop with the Planning Commission to get input on the current home occupation regulations and areas for potential change. While the Commission was supportive of changes to the ordinance to encourage flexibility, they also wanted some clarifications and restrictions. The input that staff received at the workshop included:

- Support for a prohibited uses list
- Need to clarify when a home occupation permit is required
- Need to increase number of allowed deliveries
- Need to reduce nighttime hours from 10 pm to 8 pm
- Did not want to allow lighted signage
- Wanted to increase the number of clients/customers at one time and per day
- Did not want to allow uses prohibited in commercial zones as home occupations

A detailed analysis of these issues, current City regulations, and the proposed changes in the new ordinance are included as Attachment 3 to this staff report.

Based on the Commission input and direction, staff prepared a draft ordinance, which was presented to the Planning Commission for consideration on September 1, 2021. Staff was directed to make additional changes and staff returned on November 17, 2021 with a revised ordinance for consideration. The Planning Commission directed additional changes to the draft Ordinance and, then with those changes included, recommended, by a vote of 6 to 1 that the City Council repeal and re-enact Chapter 17.61 of the Folsom Municipal Code (FMC) related to home occupations.

As a result of the changes, the new ordinance should provide more clarity and flexibility. Some of the key changes include:

- Increased number of deliveries/pickups per day (from 1 to 4).
- Clarified that a home occupation permit is only needed when the activity involves the sale or storage of goods or providing services to customers on or from the property.
- Established the same hours for every day of the week – 8 am to 8 pm.
- Created a prohibited uses list to make clear what uses are not appropriate in residential areas.
- Increased number of clients/customers allowed at one time from 2 to 4 and increased the total number of clients/customers from 8 to 10 per day.
- Made sure that if a federal or state license is required for operation that proof of the license is presented to the City before the home occupation permit is issued.
- Added strict conditions for the sale of firearms and ammunition but increased the number of firearms sold at one time from two to four.

On the issue of retail store fronts in residential areas, most of the Commission members felt that modifications to the exterior of a residence to make it appear as a commercial business was not compatible with General Plan policy LU 6.1.8, which states that the City should allow home occupations and home-based businesses that are “compatible with the character of the residential unit and do not significantly impact the neighborhood.” For instance, in a situation where one-third of the homes on a street had home occupation permits and altered the exterior of the home or garage to look like a business then the character of that residential street would change to more of a mixed-use environment.

Overall, the Planning Commission wanted to be supportive of home-based businesses and the changes the Commission directed were done because most members felt that many of these uses were already subject to licensing and oversight from either state or federal agencies or both. In addition, the nuisance prohibitions that existed in the ordinance along with the City noise ordinance (Chapter 8.42 of the FMC) were sufficient to avoid issues with these uses that negatively impact the residential character of neighborhoods. These revisions removed the following activities from the prohibited uses list:

- Sale and storage of ammunition
- Manufacture, reload and sale of ammunition
- Assembly and manufacturing uses
- Tattoo or body art

The Commission also voted to increase the number of clients/customers present at one time from two (2) to four (4) and increase the number of daily clients/customers from eight (8) to

ten (10). The Commission also voted to increase the number of firearms that can be sold to a customer at one time from two to four.

These changes allow for a greater range of home-based businesses and provide more flexibility. However, one area where some inconsistency between the Home Occupations Ordinance and the rest of the Zoning Code remains is that some commercial uses that are allowed as home occupations are either not allowed or only allowed with a conditional use permit in the City's commercial zones. This makes the City of Folsom unique in terms of the type of business activities that are allowed at the home.

As shown in Table 1, most jurisdictions in Sacramento County and adjacent Placer County do not allow ammunition storage and sales nor do they allow ammunition manufacture and reloading. The prohibition on ammunition manufacture and reloading is typically due to safety concerns. While no other jurisdiction allows for on-site retail sales of firearms, many do allow home-based businesses that sell firearms so long as those sales are done online, through mail order, or off-site. Similarly, while all jurisdictions allow state-certified massage therapists to have home-based business subject to certain conditions (e.g., number of clients, state certification, etc.), none of them allow tattoo or body art as home occupations. Finally, most jurisdictions do not allow manufacturing except for home electronics and small appliances.

Under current City regulations set forth in the current Zoning Code (Title 17 of the FMC), gunsmiths and firearm sales are only allowed in the City commercial zoning districts (i.e., C-1, C-2, and C-3). In the Neighborhood Commercial (C-1) zone a minor conditional use permit is required by the Planning Commission or Historic District Commission. In the Central Business (C-2) zone and the General Commercial Zone (C-3), those uses are allowed when the commercial structure is located five hundred feet or more from a residential use and one thousand feet from the property line of any public or private school (kindergarten to twelfth grade), and as long as the operating hours are between 6:00 a.m. and 11:00 p.m. If it cannot meet these conditions, then a conditional use permit (CUP) is required by the Planning Commission or Historic District Commission. Firearm sales and gunsmiths are not allowed in the Business and Professional (B-P) zone – the City's remaining commercial zone.

Table 1
Regional Comparison of Home Occupation Regulations Related to Uncommon Business Types

Jurisdiction	On-Site Firearm Sales	On-Site Ammo Sales	On-Site Ammo Manufacture/ Reload	Manufact- uring	Tattoo/ Body Art	Massage Therapy	Animal Kennels
<i>Folsom (Existing)</i>	<i>Y</i>	<i>Y</i>	<i>N</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>
<i>Folsom (Proposed)</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>N</i>
Auburn	N*	N	N	N	N	Y	N
Citrus Heights	N*	N	N	N**	N	Y	N
Rancho Cordova	N	N	N	Y	N	Y	N
Rocklin	N*	N	N	N	N	Y	N
Roseville	N	N	N	N	N	Y	N
Sacramento City	N*	N	N	N**	N	Y	N***
Sacramento County	N*	N	N	N**	N	Y	N

Notes:

*Online, mail order, or off-site sales only

**Limited to repair of home electronics and small appliances only.

***Kennels not allowed but pet services, such as pet sitting, pet grooming, pet training, and veterinarian care are allowed subject to additional conditions.

Similarly, tattoo and body art parlors are currently only allowed with minor conditional use permit in the C-2 and C-3 zones. In comparison, certified massage therapist businesses are allowed by right in all commercial zones. Regarding the question of manufacturing uses, assembly and light manufacturing business are only allowed with a minor conditional use permit in the City's General Commercial zone (C-3).

Regarding the home occupations involving the sale of firearms, Planning staff in consultation with the Police Department added strict requirements that any home occupation applicant must meet to sell and store firearms and ammunition. These include alarm systems with cameras, fire-proof gun safe, immediate reporting of any thefts, compliance with all state and federal requirements, and a prohibition on signage advertising gun sales. Since the Commission directed that ammunition sales and storage be removed from the prohibited uses list, there is currently no limit on the amount of ammunition that can be stored or sold at one time.

On the topic of ammunition manufacture and reload, this is not allowed currently given the hazards associated with the storage of black powder and smokeless powder. This is consistent with that of other jurisdictions in our region. However, the recent change to the ordinance would now allow home-based businesses involved in this type of activity. After learning of this change, the City's Fire Department has expressed safety concerns about ammunition manufacture and reload activities at home-based businesses.

Regarding the administration process, staff had originally proposed to limit the number of appeals to one. In that case the Community Development Director's decision could only be appealed to the Planning Commission or Historic District Commission depending on the location and the Commission's decision would be final. Since home occupation permits are considered minor permits because either the application meets the home occupation requirements or it does not, staff believed that limiting the appeal process to one level of appeal was appropriate and reduced the burden on applicants. However, the Planning Commission disagreed and wanted to maintain the two levels of appeal with the Council as the final appeal body. As a result, the proposed ordinance in Attachment 1 maintains the two levels of appeal.

Overall, the City's current home occupation regulations and permit process in Folsom's Zoning Code are typical of those in most other jurisdictions. As shown in Table 2 on the following page, Folsom's regulations are more lenient in several cases compared to many of its neighbors. For example, Folsom allows a greater percentage of the home to be used for the business and allows for signage. One of the major differences between Folsom's current rules and those of other jurisdictions is that some list those uses that are allowed and/or those that are prohibited as home-based businesses. Folsom's ordinance currently does not do this. However, the new ordinance does include a list of prohibited home-based businesses to

reduce confusion about small businesses that are not suitable in a residential environment (e.g., on-site alcohol sales, on-site automotive repair, animal kennels, etc.).

Given the General Plan policy and the input received from the community and individual Commissioners, staff believes these revisions provide the right balance between supporting the home-based business needs of residents, while preventing home-based businesses that could negatively impact a neighborhood. Based on the Commission recommended revisions, the one exception to this is the remaining issue of the inconsistency between commercial uses allowed as home occupations but prohibited or subject to conditional use permits in commercial zones.

All other changes to the existing ordinance were minor and related to organization and formatting. Given the change in organization and formatting, providing an underline/strikeout version of the original ordinance was infeasible given how difficult it was to read and understand the scope of proposed change. Instead, staff has included the original version of Chapter 17.61 in Attachment 2 for comparison with the new ordinance in Attachment 1.

Community Outreach: Several weeks prior to this meeting, staff sent an email with information about the upcoming Council meeting to over 500 persons consisting of residents, businesses, homeowners' associations, community and religious groups, developers, preservationists, etc. In addition, staff also emailed approximately 1,000 home-based businesses active in Folsom. Furthermore, in addition to email, staff also put out information about the hearing in the City's weekly electronic newsletter and used social media to alert the public about this meeting. Finally, a public hearing notice was published in the Folsom Telegraph 10 days prior to this meeting. City staff received several emails and letters in response to the changes to home occupations ordinance. All of these related to the rules related to home-based businesses involved in the sale of firearms. Those letters are included in Attachment 4.

**Table 2
Regional Comparison of Home Occupation Permit Rules**

Jurisdiction	% of Home	Number of On-Site Employees	Max. Clients at One Time	Max. Clients Per Day	On-Site Sales	Storefronts Allowed?	Signage Allowed	Signage Size	Illuminated Signs	Number of Business Vehicles
<i>Folsom (Existing)</i>	25%	<i>Residents + 2</i>	2	8	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>1 sq. ft.</i>	<i>No</i>	<i>1</i>
<i>Folsom (Proposed)</i>	25%	<i>Residents + 2</i>	4	10	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>1 sq. ft.</i>	<i>No</i>	<i>1</i>
Auburn	--	Residents Only	--	--	No	No	No	--	No	0
Citrus Heights	20%	Residents + 1	2	8	Limited*	No	Yes	1 sq. ft.	No	2
Rancho Cordova	--	Residents Only	--	--	Limited*	No	Yes	4 sq. ft.	No	2
Rocklin	--	Residents + 1	--	--	Yes	No	Yes	2" x 10"	No	1
Roseville	15%	Residents Only	1**	--	No	No	No	--	No	1
Sacramento City	10%	Residents + 1	1	8	Yes	No	No	--	No	1
Sacramento County***	20%	Residents Only	2	8	Limited*	No	Yes	4 sq. ft.	No	0

Notes:

*Limited only to sales of products produced by residents.

**One (1) student per hour allowed. Otherwise, clients not allowed unless granted by the Approving Authority.

***Sacramento County has a separate category for home-based family contractor businesses. It also has a special category of businesses subject to special restrictions.

FINANCIAL IMPACT

No change is proposed to the cost of a City-issued home occupation permit, which is currently \$29. The new ordinance is not expected to result in a significant change to City revenues from the permit fee.

ENVIRONMENTAL REVIEW

Under Section 15061(b)(3) of the California Public Resources Code, this activity will not have a significant effect on the environment and as such the project is exempt from environmental review under CEQA.

ATTACHMENTS

1. Ordinance No. 1325 - An Ordinance Repealing and Re-Enacting Chapter 17.61 of the Folsom Municipal Code Pertaining to Home Occupations
2. Existing Text from Chapter 17.61 (Home Occupations) of the Folsom Municipal Code
3. Additional Background Information
4. Public Comment

Submitted,



Pam Johns, Community Development Director

**ATTACHMENT 1
ORDINANCE NO. 1325
AN ORDINANCE REPEALING AND RE-ENACTING
CHAPTER 17.61 OF THE FOLSOM MUNICIPAL CODE
PERTAINING TO HOME OCCUPATIONS**

ORDINANCE NO. 1325
AN ORDINANCE OF THE CITY OF FOLSOM
REPEALING AND RE-ENACTING
CHAPTER 17.61 OF THE FOLSOM MUNICIPAL CODE
PERTAINING TO HOME OCCUPATIONS

The City Council of the City of Folsom hereby does ordain as follows:

SECTION 1 PURPOSE

The purpose of this Ordinance is to amend the Folsom Municipal Code to update the home occupation permit regulations to clarify the standards for the operation of home-based businesses in residential neighborhoods in Folsom.

SECTION 2 REPEAL AND RE-ENACTMENT TO CODE

Chapter 17.61 of the Folsom Municipal Code is hereby repealed and re-enacted to read as follows:

Chapter 17.61
HOME OCCUPATIONS

Sections:

- 17.61.010 Purpose**
- 17.61.015 Definitions**
- 17.61.020 Applicability**
- 17.61.025 Business License Certificate**
- 17.61.030 Home Occupation Permit**
- 17.61.035 Prohibited Uses**
- 17.61.040 Standards**
- 17.61.045 Permit Application and Procedure**
- 17.61.050 Fees**
- 17.61.055 Appeals**
- 17.61.060 Permit Revocation**
- 17.61.065 Enforcement**
- 17.61.070 Penalties**
- 17.61.075 Enforcement Procedures**
- 17.61.080 Time Limit.**

17.61.010 Purpose

The purpose of this chapter is to recognize the residence as a viable location for certain types of occupations and to ensure the compatibility of home occupations with principal residential uses, protecting the integrity and character of the residential neighborhood by minimizing negative impacts of commercial uses being conducted in residential areas.

In support of that purpose, this chapter provides locational, developmental, and operational standards for the conduct of home occupations to ensure that home occupations are compatible with, and do not have an adverse effect on, adjacent residential properties; ensure that public and private services and utilities are not burdened by the home occupation; and preserve the character and livability of residential areas.

17.61.015 Definitions

“Home occupation” means any business-related use carried on within a residential structure or accessory structure by the residents of the property, which use is secondary to the residential use of the structure, and involves the sale or storage of goods or the provision of services on the property. The home occupation must not substantially or materially change the residential character of the surrounding neighborhood.

17.61.020 Applicability

The provisions of this chapter shall apply to home occupations as defined in Section 17.61.015 subject to the issuance of a home occupation permit in compliance with the standards in Section 17.61.040. A home occupation shall only be allowed as an accessory use on a parcel with a residential dwelling unit.

17.61.025 Business License Certificate

If a business license certificate is required for the occupation to operate within the City, the home occupation may not begin operation until a business license certificate has been obtained as required by Chapter 5.04 (Business Licenses).

17.61.030 Home Occupation Permit

A. No person shall conduct a home occupation without first obtaining a permit from the director of the community development department or the director's designee. The home occupation permit is personal to the resident named on the permit and specific to the occupation to be conducted and the location stated on the permit. The permit is not transferable.

B. A home occupation permit is not required for any resident to work at their residence, so long as that work does not involve:

1. The sale or storage of goods; or
2. Providing services to customers on the property.

17.61.035 Prohibited Uses

The following uses and similar activities, as determined by the director of the community development department, are prohibited as home occupations:

- A. Adult entertainment activities/businesses.
- B. Alcohol beverage manufacturing or on-site sales business.
- C. Animal kennels except for pet sitting and training businesses that have no more than three dogs or cats over the age of four months old at the home at any one time.
- D. Automobile/vehicle service, repair or paint shops.
- E. Firearm sales involving the sale of more than four firearms to a customer at one time.

- F. Medical offices, clinics, and laboratories, except that counseling is allowed when no more than one client visit or group session is held at one time.
- G. Metal working or welding shops.
- H. Storage, repair, reconditioning or manufacture of large equipment on-site
- I. Tobacco or electronic cigarette shop involving on-site sales.

17.61.040 Standards

Home occupations shall comply with all of the following standards in order to be granted a home occupation permit:

- A. **Visibility.**
 - 1. No exterior modification to the residential structure or accessory structure that results in a change to the residential character of the home shall be permitted for the home occupation; and
 - 2. Aside from visiting clients and pick-ups or deliveries to the home occupation business, the home occupation activity shall not be conspicuously visible from a public right-of-way or from neighboring residential properties such that it results in a change to the residential character of the home.
- B. **Maximum Size.** The space exclusively devoted to the home occupation (including any associated storage) shall not exceed 25 percent of the residential unit's floor area. In calculating the amount of space devoted exclusively to the home occupation, all storage and activities associated with the home occupation shall be included. Rooms used for both residential uses and the home occupation shall be considered dedicated to the home occupation for purposes of this calculation.
- C. **Signage.** The operator of a home occupation may display signage with the business name and address at the residence or accessory structure, provided that the signage is less than one square foot in area, is not illuminated, and is attached flat against the building or in the window on the front of the residence or accessory structure facing the street or alley.
- D. **Employees.** Employment is limited to the resident permit holder, other residents in the residence, and no more than two non-resident employees on-site. The home occupation may not have more non-resident employees than resident employees.
- E. **Client/Customer Visits.** No more than four clients shall be present at the home occupation business at any one time, and no more than ten clients shall visit the home occupation business per day. Clients are allowed at the home occupation business location only from 8:00

a.m. to 8:00 p.m.

F. Vehicles. One commercial vehicle is allowed, not to exceed a one-ton capacity. Regardless of the number of home occupations at a residence, only two additional vehicles (including commercial, employee, and client vehicles) can be present at any one time. One off-street parking space shall be provided for any vehicle associated with the home occupation.

G. Pickups and Deliveries. The home occupation shall not have more than a total of four (4) pickups or deliveries each day. All pickups and deliveries shall occur during the hours of operation of the home occupation identified Section 17.61.040(E). The type of commercial vehicle(s) used for pickup or delivery of materials to or from the home occupation business location shall be similar in size and type to those typically used for pickup and delivery in residential neighborhoods.

H. Off-Site Effects. No home occupation activity shall create dust, electrical interference, fumes, gas, glare, light, noise, odor, smoke, toxic/hazardous materials, vibration, or other hazards or nuisances.

I. Storage or Display of Materials. Storage, operation, or display of materials, goods, supplies, or equipment related to the operation of a home occupation, may not be visible from outside the residence, with the exception of office equipment and supplies inside the residential structure.

J. Storage of Hazardous Materials. On-site storage of hazardous materials (including toxic, explosive, combustible or flammable materials) associated with the home occupation is prohibited unless the storage of such materials has been reviewed and approved by the Folsom Fire Department.

K. Storage of Firearms. Unless prohibited by Section 17.61.035(E), a home occupation involving the sale or storage of firearms is subject to review and approval of the Folsom Police Department and shall comply with the following conditions:

1. All firearms and ammunition shall be stored in a locked fireproof safe or vault located on the premises. Under no circumstances shall firearms or ammunition be stored in a structure detached from the main structure of the residence. All windows, doors, and entry points to the location where firearms and ammunition are stored must be securely locked and equipped with an operable alarm and camera. All locks shall be secured, and the alarm shall be activated whenever an individual listed as a responsible person, or an individual authorized by him/her, under the Federal Firearms License is not present.

a. Minimum Safe Requirements: 60 minutes at 1200-degree fire-rating; and a TL-15 security rating

b. Minimum Alarm Requirements: 24 hour/7 days per week monitoring with exterior and interior audible. Smart home alarm systems do not satisfy this

requirement.

c. Minimum Camera Requirements: 1080p High Definition (HD) video with at least 7 days (168 hours) of recording capability.

2. No firearms or ammunition shall be delivered to a purchaser or sold from the premises before 8am or after 8pm. Upon sale, all firearms and ammunition shall be packaged separately. All firearms must be delivered to the purchaser unloaded and securely wrapped.

3. No signage advertising the presence of firearms or ammunition shall be displayed on or in the premises if it can be seen from the outside.

4. All authorized employees of the City shall have the right to enter the premises upon reasonable notification to inspect for compliance of these conditions. If these conditions are not met, notification will be given to the Bureau of Alcohol, Tobacco, Firearms and Explosives.

5. Permittee shall comply with all other applicable state and federal law and city ordinances.

6. Permittee shall file a report with the Folsom Police Department within twenty-four (24) hours of any criminal activity that occurs on the premises and provide video recorded during the timeframe of the crime.

7. Violation of these provisions shall constitute ground for revocation.

L. Storage of Inventory. Rooms used for both residential uses and the home occupation shall be considered dedicated to the home occupation for purposes of the maximum size calculation in Section 17.61.040(B). Storage of inventory shall not occupy any of the parking required in Section 17.61.040(F).

M. Other Conditions. The director of the community development department may place additional conditions on the permit in order to carry out the intent of this chapter.

17.61.045 Permit Application and Procedure

A. Application for a home occupation permit shall be made to the community development department on a form provided by the department. A home occupation permit shall be issued where the director of community development department or the director's designee finds that the home occupation applied for can be conducted pursuant this chapter.

B. State and Federal Licenses. When the federal government or the State of California requires a state or federally-issued license, permit or certification in association with any occupation, such as a masseuse, firearm seller, or a barber/hair stylist, the state or federal license, permit or certification shall be obtained prior to and submitted for verification in

conjunction with an application for a home occupation permit. Such state or federally-issued license, permit or certification must be maintained at all times for the home occupation permit to be valid.

17.61.050 Fees

Upon approval of the home occupation permit by the community development department, the applicant shall pay the designated current fee amount established to cover administrative costs, as well as any other applicable fees established by city resolution.

17.61.055 Appeals

The decision of the community development department concerning the issuance or denial of a home occupation permit shall be final unless an appeal is submitted in writing to the community development director accompanied by the current nonrefundable home occupation permit appeal fee and is filed within 10 days of the decision. The appeal shall be heard by the planning commission. The planning commission may attach such conditions as it deems necessary to the issuance of such a permit to ensure compliance with the intent of this section. The decision of the planning commission may be appealed to the city council within 10 days of the decision. The appeal shall be submitted in writing to the city clerk, accompanied by the current non-refundable home occupation permit appeal fee.

17.61.060 Permit Revocation

A home occupation permit may be revoked or modified by the director of the community development department if any of the standards for approval listed in Section 17.61.040 are not met by the home occupation.

17.61.065 Enforcement

A. This chapter shall be enforced pursuant to the provisions of Chapters 1.08 through 1.10, inclusive, of the Folsom Municipal Code.

B. The director of community development department and the code enforcement officer shall enforce the provisions of this chapter.

17.61.070 Penalties

The penalties set forth in Section 17.03.020 of this title shall not apply and the following penalties shall be applicable for any violation of this chapter:

A. A violation of this chapter shall be an administrative violation as defined in Section 1.08.020.

B. Each of the sanctions for administrative violations identified in Section 1.09.013 shall be available for enforcement of the provisions of this chapter.

C. Based upon the criteria for the imposition of administrative sanctions set forth in Section 1.09.014, a violation of this chapter shall be deemed a Level C violation, as that term is described in Section 1.09.012. The range of monetary sanctions available for a violation of this chapter shall be as set forth in Section 1.09.012(A)(3).

17.61.075 Enforcement Procedures

A. Prior to the suspension, revocation or denial of any home occupation permit, or the assessment of any monetary sanction, penalty or fine, or the commencement of any other enforcement action pursuant to this chapter, the director of the community development department and the code enforcement officer shall follow the procedures set forth in Sections 1.09.020 through 1.09.048. The rights to judicial review set forth in Sections 1.09.050 through 1.09.052 shall apply.

B. A notice to correct shall be served in accordance with the provisions of Section 1.09.023.

17.61.080 Time Limit

All home occupation permits shall be valid for a period of one (1) year from the date of approval. Requests for renewal shall be submitted to the finance department in writing on a form provided by the finance department, accompanied with the appropriate fee.

SECTION 3 SCOPE

Except as set forth in this ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 4 NO MANDATORY DUTY OF CARE

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 5 SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

SECTION 6 EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on March 8, 2022 and the second reading occurred at the regular meeting of the City Council on March 22, 2022.

On a motion by Council Member _____ seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this day of 2022, by the following roll-call vote:

AYES: Councilmember(s):
NOES: Councilmember(s):
ABSENT: Councilmember(s):
ABSTAIN: Councilmember(s):

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

**ATTACHMENT 2
EXISTING TEXT FROM
CHAPTER 17.61 (HOME OCCUPATIONS) OF THE
FOLSOM MUNICIPAL CODE**

Chapter 17.61
HOME OCCUPATIONS

Sections:

- 17.61.010 Statement of purpose.**
- 17.61.020 Home occupation defined.**
- 17.61.030 Permit required.**
- 17.61.040 Permit application and procedure.**
- 17.61.050 Business license.**
- 17.61.060 Fees.**
- 17.61.070 Criteria for approval.**
- 17.61.080 Appeals concerning the issuance or denial of a home occupation permit.**
- 17.61.085 Revocation of permit.**
- 17.61.090 Enforcement.**
- 17.61.093 Penalties.**
- 17.61.095 Enforcement procedures—Notice to correct.**
- 17.61.100 Time limit.**

17.61.010 Statement of purpose.

It is the purpose of this chapter to recognize the residence as a viable location for certain types of occupations and to ensure the compatibility of home occupations with principal residential uses, protecting the integrity and character of the neighborhood by minimizing negative impacts of commercial uses being conducted in residential areas. (Ord. 804 § 1 (part), 1994)

17.61.020 Home occupation defined.

“Home occupation” means any business-related use carried on within a residential structure or accessory structure thereto, primarily by the residents thereof, which use is secondary to the residential use of the structure. The home occupation must not substantially or materially change the residential character of the surrounding neighborhood. (Ord. 858 § 14(1) (part), 1997)

17.61.030 Permit required.

No person shall conduct a home occupation without first obtaining a permit from the director of planning, inspections and permitting or designee. The home occupation permit is personal to the resident named on the permit and for the occupation to be conducted at the location stated on the permit. The permit is not transferable. (Ord. 858 § 14(1) (part), 1997)

17.61.040 Permit application and procedure.

Application for a home occupation permit shall be made to the planning, inspections and permitting department on a form provided by the planning, inspections and permitting department. A home occupancy permit shall be issued where the director of planning, inspections and permitting or designee finds that the home occupation applied for can be conducted pursuant to Section 17.61.070. (Ord. 858 § 14(1) (part), 1997)

17.61.050 Business license.

If a business license is required for the occupation to operate within the city, the home occupation may not begin operation until a business license has been obtained as required by Chapter 5.04. (Ord. 858 § 14(1) (part), 1997)

17.61.060 Fees.

Upon planning, inspections and permitting department approval of the home occupation permit, the applicant shall pay the designated current fee amount established to cover administrative cost, as well as any other applicable fees established by other city resolution. (Ord. 858 § 14(1) (part), 1997)

17.61.070 Criteria for Approval.

Home occupations shall meet all of the following criteria in order to be approved.

- A. Storage.
 - 1. Storage, operation or display of materials, goods, supplies or equipment, other than office equipment and supplies located inside the residential structure, related to the operation of a home occupation may not be visible from outside of the residence;
 - 2. On-site storage of hazardous materials (including toxic, explosive, combustible or flammable) associated with the home occupation is prohibited;
 - 3. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation may not exceed 25 percent of floor area of the dwelling unit. Rooms used for both residential uses and the home occupation use shall be considered dedicated to the home occupation for purposes of this calculation.
- B. Employees/Clients.
 - 1. Employment is limited to the resident occupant permit holder, other resident

occupants and no more than 2 non-resident employees on-site. The home occupation may not have more nonresident employees than resident employees.

2. The number of clients that can be present at the residence is limited to 2 at any one time, and not to exceed a maximum of 8 per day. Clients are permitted at the home occupation business location only on weekdays from seven a.m. to ten p.m. and on weekends from eight a.m. to six p.m.

C. Vehicles/Parking.

1. One commercial vehicle is allowed, not to exceed 1-ton capacity. Regardless of the number of home occupations at a residence, only 2 additional vehicles (including commercial, employee and client vehicles) can be present at any one time. Off-street parking space shall be provided for any such vehicle associated with the home occupation.

2. There shall be no commercial deliveries from or to the home occupation premises beyond what is normally incidental to residential uses. "Normal residential deliveries" can be defined as typically being no more than 1 per day, during normal business hours of eight a.m. to six p.m.

D. Signage. One attached wall, suspended or projecting nameplate sign not to exceed 1 square foot of area and pertaining directly to the particular home occupation is allowed subject to any permits required by the sign ordinance.

E. Nuisances. No activity which produces noise, smoke, odors, glare, electrical interference, or vibrations discernible beyond the site is allowed.

F. Other Conditions. The director of planning, inspections and permitting may place additional conditions on the permit in order to carry out the intent of this chapter. (Ord. 858 § 14(2), 1997; Ord. 804 § 1 (part), 1994)

17.61.080 Appeals concerning the issuance or denial of a home occupation permit.

The decision of the planning, inspections and permitting department concerning the issuance or denial of a home occupation permit shall be final unless an appeal is submitted in writing to the director of planning, inspections and permitting accompanied by the current nonrefundable home occupation permit appeal fee, and is filed within 10 days of the decision. The appeal shall be heard by the planning commission. The planning commission may attach such conditions as it deems necessary to the issuance of such a permit to ensure compliance with the intent of this section. The decision of the planning commission may be appealed to the city council within 10 days of the decision. The appeal shall be submitted in writing to the city clerk, accompanied by the current non-refundable home occupation permit appeal fee. (Ord. 858 § (1) (part), 1997)

17.61.085 Revocation of permit.

A home occupancy permit may be revoked or modified by the director of planning, inspections and permitting if any of the criteria for approval listed at Section 17.61.070 are not met by the home occupancy. (Ord. 858 § (3) (part), 1997)

17.61.090 Enforcement.

A. This chapter shall be enforced pursuant to the provisions of Chapters 1.08 through 1.10, inclusive, of the Folsom Municipal Code.

B. The director of the department of planning, inspections and permitting and the code enforcement officer shall enforce the provisions of this chapter. (Ord. 858 § (1) (part), 1997)

17.61.093 Penalties.

The penalties set forth in Section 17.03.020 of this title shall not apply and the following penalties shall be applicable for any violation of this chapter:

A. A violation of this chapter shall be an administrative violation as defined in Section 1.08.020.

B. Each of the sanctions for administrative violations identified in Section 1.09.013 shall be available for enforcement of the provisions of this chapter.

C. Based upon the criteria for the imposition of administrative sanctions set forth in Section 1.09.014, a violation of this chapter shall be deemed a Level C violation, as that term is described in Section 1.09.012. The range of monetary sanctions available for a violation of this chapter shall be as set forth in Section 1.09.012(A)(3). (Ord. 858 § (3) (part), 1997)

17.61.095 Enforcement procedures – Notice to correct.

A. Prior to the suspension, revocation or denial of any license or permit, or the assessment of any fee, penalty or charge, or the commencement of any other enforcement action pursuant to this chapter, the director of the department of planning, inspections and permitting and the code enforcement officer shall follow the procedures set forth in Sections 1.09.020 through 1.09.048, inclusive, of the Folsom Municipal Code. The rights to judicial review set forth in Sections 1.09.050 through 1.09.059, inclusive, of the Folsom Municipal Code shall apply.

B. A notice to correct shall be served in accordance with the provisions of Section 1.09.023. (Ord. 858 § 3 (part), 1997)

17.61.100 Time limit.

All home occupation permits shall be valid for a period of 1 year from the initial date of approval. Requests for renewal shall be submitted to the finance department in writing on a form sent to the applicant, accompanied with the appropriate fee. If the use continues to meet the then current criteria, the permit may be renewed. (Ord. 858 § 1 (part), 1997)

ATTACHMENT 3
ADDITIONAL BACKGROUND INFORMATION

ATTACHMENT 3 ADDITIONAL BACKGROUND INFORMATION

This attachment provides additional detailed information associated with City staff's analysis of the current regulations as well as new issues considered as part of the update process.

Issues with Existing City Regulations: Over time, City staff have come across certain issues associated with the home occupation regulations and the realities of actual home-based business operations. Several examples are described along with how staff addressed these issues in the new ordinance.

- *Retail Storefronts and Compatibility with Residential Neighborhoods:* Under current regulations as well as General Plan policy, home-based businesses cannot have the appearance of a commercial business. Signage is limited to one non-illuminated one-square foot sign and the home-based business must maintain the residential character of the dwelling. Recently, some businesses have already built, or requested to build, a retail storefront for their home-based business to attract more customers in the neighborhood. Based on General Plan policy LU 6.1.8 and the many other ways that the business can advertise without the need for a retail street presence, staff recommends that no storefront be permitted as commercial storefronts are likely to change the residential character of the surrounding neighborhood.
- *Limitation on Clients:* Current City rules limit clients to no more than two (2) persons at a time and no more than a total of eight (8) clients per day. This affects many types of home-based business activities including swimming lessons, yoga sessions, personal trainers, music lessons, etc. In other situations, such as home-based realtors, property management companies, or massage therapists, they may want or need to have more than 8 clients per day. At the Commission hearings on September 1 and November 17, 2021, Planning Commission members voted to increase this to four (4) persons at a time and no more than ten (10) clients or customers per day.
- *Home-Based Businesses Activity Onsite versus Offsite:* Home-based businesses such as dog walking and dog sitting typically involve activities offsite where dog walkers take dogs to the park or to walk on city sidewalks while dog sitters take care of dogs at others' homes. Yet, these home-based businesses may have multiple visitors onsite during the day as people drop off and pick up dogs, keys or food. In addition, for mobile businesses such as mobile auto or bike repair or mobile animal grooming services, most of the work is done off-site but they may have employees that arrive at the home and may have a larger commercial vehicle parked at the home. This is also the case for home-based contractor and construction businesses. Given the concerns expressed about traffic and vehicle parking, staff has left the current requirements unchanged regarding business vehicle parking and the number of clients per day. Mobile businesses can continue to operate so long as they comply with the standards in the new ordinance.
- *Home Offices and Storage:* The City has received home occupation permit applications

for home-based businesses that involve storage of goods at the home. So long as the home-based business meets the current City home occupation requirements (i.e., not more than 25% of dwelling space used for business activities and storage) then home-based businesses can store materials in the home. The City has not received many complaints about this. As a result, the regulation about the percent of space devoted to the business remains unchanged at 25 percent. However, the City has clarified in the new ordinance that the storage of hazardous materials is prohibited unless approved by the City's Fire Department.

- *Deliveries for Home-Based Businesses:* Current regulations limit home deliveries to one per day, which was seen as typical for most homes at the time. Yet, in recent years (especially during the pandemic given the temporary and permanent closures of many physical stores), some homes receive multiple deliveries per day as more residents shop online. Staff has drafted the new ordinance to allow for up to four (4) pickups or deliveries per day.
- *On-Site Sales and Services:* The City's current rules are silent on whether home-based businesses can sell products or perform services in their home. The only requirement is the limitation on the number of clients. Many home-based businesses sell products or provide services from the home either in-person or online. Given this, the Commission increased the client/customer limits from no more than two persons at a time to four and increased the maximum number of daily clients from eight to 10. The new ordinance also states that any home-based business involving on-site sales and services requires a home occupation permit. In addition, the new ordinance clarifies that no home occupation permit is required for residents who work from home or telecommute as long as they do not provide on-site sales or services from the property.
- *Manufacturing and Technology Businesses:* As mentioned earlier in this report, most people are familiar with the stories of technology companies starting in a home garage. In the past, the City has received applications for businesses that do small-scale manufacturing. Those have been allowed so long as the home-based business meets the home occupation requirements. In the new ordinance, home occupations involving assembly and manufacturing are allowed so long as they do not create any negative off-site effects (e.g., noise, odor, smoke, pollution, etc.).
- *Prohibited and Conditionally Permitted Commercial Uses Allowed as Home Occupations:* Because the City does not have clear prohibitions on certain uses for home occupations, there have been applications for uses that would either be subject to a conditional use permit or would not be allowed at all in one of the City's low-intensity commercial zones (i.e., C-1-Neighborhood Business Zone or BP-Business and Professional Zone). Staff reviewed the list of prohibited or conditionally allowed business in the C-1 or BP zoning districts and in most cases has added those to the list of prohibited businesses; however, changes directed by the Commission removed several of those uses from the prohibited uses list including assembly and manufacturing; ammunition sales and storage; ammunition manufacture and reload; and tattoo parlors.

- *Home-Based Businesses and Signage:* Currently, the City allows one (1) one square foot non-illuminated sign. The sign can be a wall mounted sign, a suspended sign, or a projecting sign. Folsom's home occupation sign requirements are generous compared to many jurisdictions in our region. Staff has left the current requirements in place with no change based on the feedback received and the fact that the City's standards are already more generous than most other jurisdictions in the region.

Proposed Improvements to Home Occupations Ordinance: Allowing greater flexibility for home-based businesses can have benefits as well as drawbacks. On the one hand, home-based businesses can be a local source of innovation and economic development. On the other hand, home-based businesses, if not properly regulated, can have negative impacts on the residential character of the neighborhood. Most zoning codes only allow those home-based businesses that are unlikely to change the residential character of the neighborhood. As described below, staff attempted to find a balance between supporting home-based businesses and protecting the residential character of neighborhoods. The proposed changes to the Home Occupations Ordinance are summarized below with specific edits/new language provided in Attachment 1:

- *Home Occupation Definition:* The proposed revisions to the ordinance clarify that businesses where the activity involves sales, storage, or in-person services that are provided at the location of the residence would require a home occupation permit (HOP). It also states that employees working from home or self-employed persons working from home would not need a home occupation permit unless there are sales, storage, or in-person services that are provided at the property. Refer to Sections 17.61.015 (Definitions) and 17.61.030(B) (Home Occupation Permit) of the new ordinance in Attachment 1.
- *Prohibited Uses:* As noted earlier, the new ordinance adds a list of prohibited home-based businesses. Refer to Section 17.61.035 (Prohibited Uses) of the new ordinance in Attachment 1.
- *Home Pickup and Deliveries:* This increases the number of home deliveries from one (1) per day to up to four (4) pickups or deliveries per day. Refer to Section 17.61.040 (G) (Pickups and Deliveries) of the new ordinance in Attachment 1.
- *Hours of Operation:* Changes the hours for client/customer visits for home-based businesses to 8 a.m. to 8 p.m. seven days a week from the current standard of 7 a.m. to 10 p.m. weekdays and 8 a.m. to 6 p.m. on weekends. Staff concluded that 10 pm was not an appropriate hour given the General Plan policy noted above. Refer to Section 17.61.040 (E) (Client/Customer Visits) of the new ordinance in Attachment 1.
- *Requirements for the Sale of Firearms:* Since the current ordinance is silent on what types of uses are allowed as home occupations, current practice has been to send all home occupation permit applications involving firearm sales to the Police Department for their review. In the new ordinance, applicants for a home occupation permit involving the sale of firearms and ammunition would be required to meet specific requirements set forth in Section 17.61.040(K) including having a fire-rated gun safe, alarm system with cameras,

separate packaging for firearms and ammunition, and compliance with all state and federal requirements.

- *State and Federal Licensing:* For those occupations such as firearms seller, masseuse or barber/hair stylist that require a license or certification from the State of California or the federal government, the new ordinance would require that the license be obtained prior to submittal of an application for home occupation permit. Staff did not want a situation where a City home occupation permit and business license were granted for a business that did not have the necessary state or federal license. Refer to Section 17.61.045(B) of the new ordinance in Attachment 1.
- *Storefronts:* Staff is not proposing any change to the prohibition on retail storefronts. Staff determined that storefronts were not necessary based on the allowed signage and the ability to advertise the business on the internet as well as in the newspaper and in social media (Facebook, Instagram, etc.). A recent search on Google Maps for instance provided information about the location and type of services for many home-based businesses in Folsom. Furthermore, no city or county in our region allows home-based businesses to have a retail store front. Refer to Section 17.61.040 (A) (Visibility) of the new ordinance in Attachment 1. Finally, staff also determined that a retail storefront was not consistent with General Plan Policy LU 6.1.8.

**ATTACHMENT 4
PUBLIC COMMENT:
EMAILS AND LETTERS RECEIVED
RELATED TO HOME OCCUPATIONS ORDINANCE**

Desmond Parrington

From: Roger Smith [REDACTED]
Sent: Sunday, November 14, 2021 9:19 AM
To: Desmond Parrington
Cc: California Rifle & Pistol Assoc.; Gun Owners of California
Subject: The banning of home businesses from the legal selling ammo in Folsom

Follow Up Flag: Flag for follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a home business owner that has a federal firearms license and a license with the Department of Justice for the State of California to sell firearms and ammunition, I am at a loss as to what to present City Planning Commission meeting banning to stop the sale of ammunition from my home business. I do not know the protocol around such a meeting.

Do you have a few minutes to answer a few questions I have regarding how to prepare for such a meeting?

I do not know exactly what to present to the commission or how much time I might have to discuss the new city ordinance banning ammunition sale from home businesses.

Is my presentation to obtain a variance for my business or to stop/modify the potential change in city code for the legal sale of ammunition in Folsom?

Have you heard from any of the other small business owners in the City of Folsom currently legally selling ammunition? Shouldn't they also be present at this meeting?

Does the commission what to see the specific steps necessary for the State of California to approve a business to sell ammunition? If so wouldn't it be better if someone more qualified than myself to provided that information such as the California Rifle and Pistol Association or the Gun Owners of California or even the Department of Justice?

All I want to do is to continue to be able to sell ammunition to my clients when they custom order it from me in advance. As you know I do not stock ammunition for retail sales.

I was speaking to a retired lieutenant deputy sheriff that is a client of mine about the potential code change banning ammunition sales by legally licensed home businesses like mine.

He made a very interesting comment to me. He said, "are you telling me that when I custom order my \$5,000 shotgun from you next year you will need to send me to Walmart to see if the clerk has the quality ammunition I want vs. my ordering it from you in advance?" (Yes Walmart sells ammunition.)

I do not know what to present or the how much time I have to present my case.

Do you have time to discuss my questions prior to the commission meeting on the 17th?

Thank you,

Roger T Smith
Smitty's Firearms & Gunsmithing

[REDACTED]
Folsom, CA 95630
[REDACTED]



Americans Against Gun Violence

[REDACTED]
Sacramento, CA 95814
[REDACTED]

November 16, 2021

Folsom City Council
50 Natoma Street
Folsom, California 95630

Dear Folsom City Council Members:

I am writing on behalf of Americans Against Gun Violence in opposition to the portion of the proposed revision of section 17.61 of the Folsom Municipal Code that relates to the sale of guns from private residences. Section 17.61.040.K of the current code places strict regulations on conditions that must be met for individuals to sell guns from their private residences, in addition to the requirement for gun sellers to obtain a permit from the Folsom Police Department. The proposed revision to the municipal code strikes all these regulations from the code and replaces them with the single condition that individuals selling guns from their private residences may not engage in "Gun sales involving the sale of more than two guns to a customer at one time."¹ In failing to define, "at one time," this condition places virtually no restriction at all on how many guns an individual can sell from his or her home to a single customer who returns day after day, or even hour after hour.

There is no shortage of guns and gun stores in our country, our state, or in the Folsom area. It's estimated that there are currently approximately 400 million privately owned guns in circulation in the United States, which amounts to more than one gun for every man, woman, and child in the country.² There are currently more than 50,000 federally licensed firearm dealers in the United States.³ A Google search of "gun stores near Folsom" comes up with 16 stores where you can buy guns. A Google search of "grocery stores near Folsom" comes up with 19 stores where you can buy groceries. In other words, there are nearly as many gun stores as grocery stores in and around Folsom.

The American people are paying a horrendous price for the plethora of guns and gun dealers in our country. Every year, approximately 40,000 Americans are killed by guns,⁴ and two to three times this number of U.S. residents suffer non-fatal but often devastating gunshot wounds.⁵ Since 1968, more American civilians have

died of gunshot wounds than all the U.S. soldiers killed by any means in all the wars in which our country has ever been involved.⁶

Gun related deaths and injuries are far more common in the United States than in any other high income democratic country in the world. Lumping gun related suicides, homicides, and accidental deaths together, the rate of gun deaths in the United States is 10 times higher than the average rate in other advanced democracies.⁷ For gun homicides alone, the U.S. rate is 25 times higher.⁸ And for high school age youth, the U.S. rate of gun homicides is 82 times higher than the average rate for other high income democratic countries.⁹

Our country's extraordinarily rate of gun violence is not a result of Americans being more violent in general than people in other democratic countries. On the contrary, the U.S. rate of violent assault by any means is below the average for the other high income democratic countries of the world.¹⁰ The extraordinarily high rate of gun homicide in the United States is due to fact that because of their easy availability, guns are used in assaults far more frequently in our country, and guns are far more lethal than fists, knives, and other weapons commonly used in assaults in other countries.¹¹

International comparisons show a direct relationship between rates of gun related deaths and the numbers of privately owned guns in circulation, and the United States is an outlier in both categories. (See appended Figure) The extraordinarily high number of guns in circulation in our country is a direct result of our extraordinarily lax gun control laws as compared with the laws in other advanced democracies.¹²

Proponents of allowing gun sales from private residences may argue that permitting such sales makes it more convenient for neighbors to purchase "guns for protection." There is no basis, however, for the claim that honest, law-abiding people derive any net protective value from owning or carrying a gun. On the contrary, there is extensive evidence that guns in the homes and in the communities of honest, law-abiding people are far more likely to be used to kill, injure, or intimidate them than to protect them. In one of the best known studies on this subject in the public health literature, it was shown that for every one time a gun in the home was used to kill an intruder, there were 43 gun-related deaths of a household member.¹³ Another study showed that someone who was carrying a gun at the time of an assault was four times more likely to be killed than someone who was not carrying a gun.¹⁴

Law enforcement data confirm that guns are used far more often to kill innocent people than to kill attackers. In 2018, the most recent year for which expanded homicide data are available from the FBI, there were 14,123 criminal homicides in the United States, with guns being the weapons used in 73% of these murders.¹⁵ In the same year, there were just 298 justifiable homicides committed with guns by civilians in self defense.¹⁶ In other words, FBI data show that in 2018, guns were used by private citizens to commit murders 34 times more often than they were

used to kill someone in self defense.

Proponents of allowing gun sales from private residences may also argue that permitting such sales is an extension of a Second Amendment “right to bear arms.” The Second Amendment states, however, in its entirety:

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.¹⁷

The Second Amendment obviously says nothing about a right to sell guns from one’s private residence. Moreover, prior to 2008, there was no constitutional right, Second Amendment or otherwise, for any individual person in the United States to own or carry any kind of a gun unrelated to service in a “well regulated militia.” The Supreme Court had ruled in all four Second Amendment cases that it had considered prior to 2008 that the Second Amendment did not confer such a right.¹⁸ As the Supreme Court stated succinctly in the 1980 *Lewis* decision, quoting a phrase from the Court’s 1939 *Miller* decision:

[T]he Second Amendment guarantees no right to keep and bear a firearm that does not have “some reasonable relationship to the preservation or efficiency of a well regulated militia.”¹⁹

As the late Supreme Court Justice John Paul Stevens wrote in his autobiography, *The Making of a Justice*, the proper interpretation of the Second Amendment as conferring a collective right of the people of the states to maintain armed militias, such as the current day National Guard, had been “so well settled” that the late Supreme Court Chief Justice Warren Burger had called the gun lobby’s misrepresentation of the Second Amendment as conferring an individual right to own guns “One of the greatest pieces of fraud, I repeat the word, ‘fraud,’ on the American public by special interest groups that I have ever seen in my lifetime.”²⁰

Sadly, in the 2008 case of *District of Columbia v. Heller*, a narrow 5-4 majority of Supreme Court justices became a party to that fraud in ruling that Washington DC’s partial handgun ban violated the Second Amendment.²¹ The *Heller* decision has been criticized by respected authorities as “gun rights propaganda passing as scholarship”²² and as “evidence of the ability of well-staffed courts to produce snow jobs.”²³ In his autobiography, Justice Stevens, who authored a dissenting opinion in *Heller*, described the decision as “unquestionably the most clearly incorrect decision that the Court announced during my [35 year] tenure on the bench.”²⁴ Further discussion of the *Heller* decision is beyond the scope of this letter, but suffice it to say that as egregiously flawed as the *Heller* decision is, it says nothing about a right to sell guns from one’s private residence.

Finally, I’d like to address the argument that banning gun sales from private residences would adversely affect the income of some Folsom residents who currently profit from selling guns from their homes. In responding to this argument,

I'd like to call the attention of the City Council to my November 7, 2021 interview with Dr. Michael North of Scotland. [A link to this interview](#) is posted on the Americans Against Gun Violence website.

Dr. North lost his five year old daughter, Sophie, in the 1996 mass shooting at the elementary school in Dunblane, Scotland, in which 15 other students and their teacher were also murdered and three other teachers and 12 other students were wounded by a man who legally owned the handguns he used to commit the massacre. Dr. North and other grieving parents subsequently led a successful campaign to completely ban civilian ownership of handguns in Great Britain. (Britain already had a ban on automatic and semi-automatic long guns, including so-called "assault rifles.") There have been no further school shootings since the handgun ban went into effect in 1998,²⁵ and the rate of gun deaths in Britain is currently 1/60th the rate in the United States.²⁶ Some opponents of the British handgun ban who were in the gun business complained that the ban would adversely affect their incomes, to which Dr. North and his fellow grieving parents replied that these opponents could find other sources of income, but Sophie and her classmates couldn't find other lives.

In the November 7 interview, Dr. North lamented the fact that the United States has not followed Britain's example, even after repeated mass school shootings, including the 2012 Sandy Hook Elementary School mass shooting in which 20 first graders, their school principal, and five other female staff members were murdered. If members of the Folsom City Council believe that a mass school shooting on the scale of the Sandy Hook, Columbine, Virginia Tech, or Marjory Stoneman Douglas massacres could not occur in Folsom, they are badly mistaken, for unlike Britain, Australia, New Zealand, and other high income democratic countries that took prompt and definitive action after mass shootings, the United States has taken no significant action to prevent our children and youth from becoming victims of such massacres.

Similarly, members of the City Council are badly mistaken if they believe that the threat of gun violence, including the trauma of being required to participate in regular school lockdown drills, has not already caused significant harm to Folsom children and youth. Americans Against Gun Violence sponsors an essay contest for high school students across the country every year. One of this year's winners attends Folsom High School. The student noted that for the first time in many years, there were no school shootings in 2020, not because elected officials had adopted stringent gun control laws, but because schools had been physically closed in response to the Covid pandemic. The student went on to write:

It is shameful that it took a pandemic-induced shutdown to quell mass shootings in America. It especially pains me when I hear stories of students breathing sighs of relief when they learned they no longer had to go to school in-person. Now more than ever, it has become excruciatingly clear that guns cause widespread fear and unease in the population. A school should be a safe haven for students and a hub for collaborative education,

not a site of trauma and worry. Because of the presence of guns in their communities, young people in America have experienced great harm.

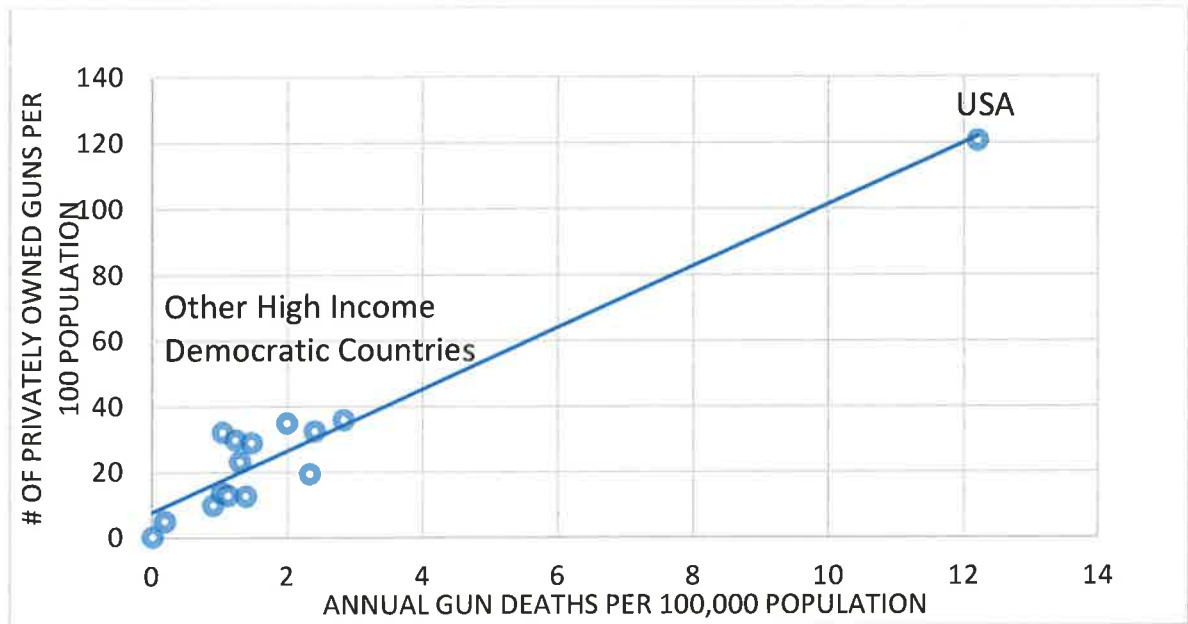
In a country with approximately 400 million privately owned guns in circulation, with more than 50,000 gun dealers already in business, and with 40,000 or more annual gun deaths, the Folsom City Council's decision concerning whether to ease restrictions on sales of guns from private residences, leave the restrictions as they are, or ban sales of guns from private residences altogether will have little overall effect on our country's shameful epidemic of gun violence. Nevertheless, easing restrictions would be a step in the wrong direction, while banning sales of guns from private residences would be a step, however tiny, in the right direction toward curbing the shameful epidemic. More significantly, however, will be the values reflected in how members of the Folsom City Council vote on this issue. Which do members of the Folsom City Council and their constituents value more – their guns and the profits of city residents who sell them, or the safety and wellbeing of the city's children and youth? We trust that the members of the Folsom City Council will demonstrate the proper priorities by rejecting the proposed easing of restrictions on sales of guns from private residences and by acting instead to ban such sales altogether.

Yours truly,

A handwritten signature in black ink that reads "Bill Durston M.D." in a cursive style.

Bill Durston, M.D.
President, Americans Against Gun Violence

Figure



Legend: Annual rates of gun deaths are plotted against estimated per capita gun ownership for the United States and 16 other high income democratic countries, all represented as circles. (Because of overlap, there appear to be fewer than 16 circles representing other high income democratic countries.) The line is a computer generated best fit line. Data used to construct the graph were taken from the most recently available data posted on the website, GunPolicy.org, hosted by the University of Sydney School of Public Health. In cases in which GunPolicy.org listed a range of per capita gun ownership estimates for a given country, the mean of the highest and lowest estimates was used. The 16 other high income democratic countries represented on the graph are, in alphabetical order, Australia, Belgium, Canada, Denmark, Finland, France, Germany, Italy, Japan, New Zealand, Norway, Sweden, Switzerland, and the United Kingdom.

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- ³ “U.S. - Number of Federal Firearm Dealers 2020,” Statista, accessed November 15, 2021, <https://www.statista.com/statistics/215666/number-of-federal-firearm-dealers-in-the-us/>.
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- ⁵ Statistics regarding annual numbers of non-fatal gunshot wounds were taken from “NonFatal Data | WISQARS | Injury Center | CDC,” Centers for Disease Control and Prevention, accessed September 11, 2016, <https://www.cdc.gov/injury/wisqars/nonfatal.html>. For unknown reasons, the CDC stopped reporting numbers of non-fatal gunshot wounds beginning about 2015 and removed old data from its WISQARS website.
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- ¹² “Gun Law and Policy: Firearms and Armed Violence, Country by Country,” GunPolicy.org, accessed July 1, 2021, <http://www.gunpolicy.org/>.
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- ¹⁶ “FBI: UCR - Crime in the United States: Expanded Homicide” (Federal Bureau of Investigation, 2018), <https://ucr.fbi.gov/crime-in-the-u.s/2018/crime-in-the-u.s.-2018/topic-pages/expanded-homicide> Justifiable Homicide, by Weapon, Private Citizen.
- ¹⁷ “The United States Constitution,” 17912nd Amendment.

¹⁸ United States v. Cruikshank, 92 US 542 (Supreme Court 1876); Presser v. Illinois, 116 US (Supreme Court 1886); U.S. v. Miller, 307 U.S. 174 (1939) (n.d.); Lewis v. United States, No. 55 (U.S. 1980).

¹⁹ John Paul Stevens, *The Making of a Justice: Reflections on My First 94 Years* (New York: Little, Brown, 2019), 483; *Lewis*, 445 at 65n8.

²⁰ Stevens, *The Making of a Justice*, 483; Warren Burger, PBS News Hour, December 16, 1991, c.

²¹ District of Columbia v. Heller, 554 US (Supreme Court 2008).

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December 20, 2021

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RE: Zoning Code Update – Home Occupation Ordinance

Dear Staff,

Since the Planning Commission November 17th meeting when the Commission revised and approved the proposed Home Occupation Ordinance I have done some additional information gathering regarding my concerns. I believe this information must be taken into consideration before going forward with a recommendation for adoption of the Ordinance to the Council. Folsom has been known as a family-friendly and desirable place by national entities; I believe we are at risk for losing that status if some of the recommended changes in the Ordinance are adopted.

General considerations for all home-based businesses that staff may not be aware and which were not discussed at our Commission meetings:

- 1) California law requires that a seller of property must disclose such nuisances in the neighborhood, as well as any past or present known material facts or other significant items that affect the value or desirability of the property. As such, residents living next door to a home business will be required to add disclosures about the type of activities taking place next to them when selling their home. I have confirmed the requirement for such disclosures in conversations with two local real estate attorneys. It is clear that particular businesses would negatively affect the value of a home for sale and the potential for finding buyers.
2. The City should consider adding a noticing requirement to residences within a certain distance from someone selling guns and/or ammunition, manufacturing, or conducting other potentially disruptive business from their homes. This notice requirement is appropriate given that homeowners requesting permits for residential building projects must comply with notification procedures.

Regarding gun sales being conducted from homes, there is a lot of information that was not known or discussed at our meetings but which needs serious consideration.

1) California law prohibits guns from being carried within 1,000 feet of schools and school zones. Have staff researched or considered a prohibition of gun sales taking place next door to daycare centers, home schools, home-based pre-schools, religious education centers? Is City staff prepared to evaluate and track these locations to ensure that gun and ammunition sales are not taking place adjacent to educational/daycare sites? There are 79 California jurisdictions that either prevent firearm dealers from being located in residential areas or prohibit firearm sales as a home business.

2) Who is actually going to visit these sites to ensure compliance with City, State and Federal regulations? The ATF is supposed to monitor gun sellers on site annually, a recent study revealed that they are only being visited by ATF once every 7 years.

<https://www.thetrace.org/2015/10/gun-store-atf-inspection/>

a) Any gun dealer that operates out of a home has to meet the premises security requirements of California law. If adequate evaluation and monitoring is to be done by the Folsom police - how often should they monitor the site? Will there be a report produced about the compliance with in-home monitoring systems, storage of guns and ammunition and materials used to re-load ammunition? Does our police force have the staffing to do this work?

b) California law prohibits the sale of certain kinds of guns and ammunition – how often will the home-based gun dealers be evaluated for the possession of illegal firearms?

c) Neither the current code or the recommendation of the Planning Commission reflect State laws that are currently in effect. For example, state law permits the purchase of ONLY ONE handgun per month. At the meeting, some Commissioners expressed the opinion that it would be acceptable for sellers to sell up to 4 guns per customer per day. The Commissioners expressed these opinions after one gun dealer called into the meeting and reported that sometimes he needs to sell 4 guns at once to a customer. That gun dealer may be already violating State law if the guns he sells are handguns.

d) What is the cost to the City for accomplishing the work that should be done? This link contains more comprehensive information on the requirements for gun dealers:

https://giffords.org/lawcenter/state-laws/gun-dealers-in-california/#footnote_28_16033

3) Will monitoring the gun sales in homes take away from the time police need to ensure the safety of our residents in other venues?

4) How do gun and ammunition sellers advertise for customers? How do they screen customers? Do they advertise on line, in print, etc. What is the potential for attracting ill-intended persons into our neighborhoods? The gun and ammunition store on East Bidwell was the victim of a “smash and grab robbery” on a busy street regularly patrolled by the police (<https://www.sacbee.com/news/local/crime/article89312017.html>). This incident took place less than a quarter mile from the Folsom Aquatic Center, where youth swim teams practice on a daily basis. Homes in neighborhoods receive much less incidental surveillance than a busy

street. A robbery could result in open gunfire in a neighborhood with a business owner defending his property against an armed thief.

5) Will the City mandate that a gun and ammunition dealer carry liability insurance for the business covering the potential harm to neighbors in the case of untoward events associated with the business? Many cities in California that allow gun sales from a person's home require the seller to carry liability insurance. There are 34 jurisdictions in California that require firearm dealers to carry liability insurance, typically with a minimum coverage of \$1 million.

6) What is the City's liability for a business that it has permitted when adjacent residents are harmed by any untoward events at homes selling guns and ammunition, or manufacturing items that involve the use of flammable materials, etc.?

7) There will very likely be a "chilling effect" on neighboring businesses such as home schools and daycare centers or other businesses that could lose customers when the neighboring gun selling business is something that customers feel poses a threat to their or their children's well-being. There are 28 California jurisdictions that prohibit firearm dealers from operating within certain distances of "sensitive areas", such as schools, day care centers, bars and parks.

8) The City has many empty commercial properties. Businesses more suited to commercial centers, such as gun and ammunition sales, manufacturing and assembly should be housed in these commercial or retail spaces. Why should the City essentially allow them to reduce their overhead by allowing gun sales from homes?

9) Many cities require firearm dealers to periodically report their inventory to law enforcement. This requirement helps law enforcement solve crimes and deters dealers from trafficking firearms. Also, the city should require periodic inspections of the homes for compliance with local state, state and federal laws. As stated above, the licensing and inspections of these home business will add a significant cost to the city in terms of enforcement.

A comprehensive list of State gun dealer laws, lists of jurisdictions with comprehensive safety measures to be enacted and enforced regarding the sale of guns, and safe storage laws on this website: <https://giffords.org/lawcenter/report/communities-on-the-move-local-gun-safety-legislation-in-california/>

Evaluations of any business which may cause undue disruption of the peace and quiet of a neighborhood before approving a permit should include an on-site visit by staff. I think it's safe to say that, even with a more thorough evaluation of sites, if manufacturing and assembly and some other businesses such as in garage gyms/exercise classes are permitted that there will be an increased burden on homeowners to report violations such as noise, noxious odors, etc. An increase in parking problems/complaints with the increase in the number of customers to 4 at a time is also very likely, particularly if more than one homeowner on a street or court is operating a business that requires on site clients.

a) As I'd pointed out at Commission meetings, I have a neighbor who does what many would consider to be light manufacturing – constructing large model airplanes and accessories. The noise produced by his equipment exceeds the allowable maximum decibel limit of 65 db by 5 to 15 db, well over 50 feet away from his residence and he has failed to comply with code despite Code Enforcement contact.

In summary, I believe that the City is not prepared to adequately monitor gun and ammunition sales without further substantial cost and risk to the City and its residents. Sales of either should be placed on the prohibited list. If existing gun and ammunition sales businesses cannot be grandfathered in, a sunset clause for these businesses should be instituted to allow them time to re-locate into an appropriate retail space.

I also believe that the allowance of manufacturing and assembly, in home gyms/exercise programs, etc. warrant additional consideration for inclusion on the prohibited list of home businesses.

Thank you for your consideration.

Sincerely,



Barbara Leary



Sent Via Email on January 11, 2022

SUBJECT: Zoning Code Update – Home Occupation Ordinance safety questions

Dear Mr. Parrington,

It has come to my attention recently that the Folsom City Council will soon be voting on prohibiting the sale of firearms and ammunition from home residences. In doing further research, I have found that I have many unanswered questions and concerns regarding the sale of guns and ammo from home businesses. I am writing in the hopes that you can help answer some of my safety questions. My first question/concern is regarding school safety. California law prohibits guns from being carried within 1,000 feet of schools and school zones. Will there be a prohibition of gun sales taking place next to daycares, home schools, home-based pre-schools, and religious education centers? Another concern is neighborhood safety. What additional safety measures will be in place to help protect against home invasions where the gun sales take place in residential neighborhoods? Folsom has already had a dangerous robbery that occurred a few years ago at the gun store that was on Wales Dr. and E. Bidwell. And my last question is regarding who will be monitoring these home gun sale businesses. Who will be in charge of ensuring compliance with City, State, and Federal regulations? Does Folsom police have the extra capacity to properly monitor these businesses?

I would like to request that my questions and concerns be included in the Council meeting agenda packet.

Thank you for your time and I look forward to hearing back,

Tressa Cooper

January 24, 2022

Dear Folsom City Council Members:

It has come to my attention recently that the Folsom City Council will soon be voting on the Zoning Code Update of the sales/manufacturing of firearms and ammunition from home residences.

As a citizen of Folsom for the last 13 years and as a mother of two young children, I have many unanswered questions and concerns regarding the sale of guns and ammo from home businesses in Folsom. I am writing in the hopes that you can help address some of my safety questions and concerns regarding the Zoning Code Update – Home Occupation Ordinance, specifically the sale of guns and ammunition from homes.

Folsom has long prided itself on being a safe and family friendly community. Allowing guns to be sold in homes is risky and dangerous for our children. In 2019, nine children and teens were killed with guns **each day** in America, that's one child's death every 2 hours and 36 minutes.¹ Notably, guns killed more children and teens than cancer, pneumonia, influenza, asthma, HIV/AIDs, and opioids combined.² Shamefully, gun deaths reflect only part of the devastating toll of America's growing gun violence epidemic. Many more children and teens are injured than killed with guns each day in our nation. For every child or teen fatally shot, another 5 suffered non-fatal gunshot wounds.³ An estimated 16,644 children and teens were injured with guns in 2018—one every 32 minutes.⁴ Even with much of the country on lockdown, mass shootings hit a record high in 2020. Children witnessed, suffered, or died in 611 mass shootings in 2020—up from 417 in 2019.⁵ The COVID-19 crisis has exposed the consequences of our nation's longstanding failure to pass policies to keep children safe where they live and learn. Folsom should be one of those places that is safe for children. This means we need to keep guns out of our community.

If you choose to continue to allow gun sales from private homes in Folsom, will there be a prohibition of gun sales taking place next to daycares, home schools, home-based pre-schools, and religious education centers? This seems like the only way to comply with California law prohibits guns from being carried within 1,000 feet of schools and school zones.

¹ CDC. 2020. "Underlying Cause of Death, 1999-2019," Detailed Mortality Tables. Accessed using CDC WONDER Online Database. <https://wonder.cdc.gov/ucd-icd10.html>. Note: All data are for children and teens ages 0-19 and exclude deaths for interactions with law enforcement.

² Ibid.

³ CDC. 2020. "Nonfatal Injury Reports 2000-2018." Accessed using WISQARS. <http://www.cdc.gov/injury/wisqars/nonfatal.html>. Calculations by Children's Defense Fund.

⁴ Ibid.

⁵ Gun Violence Archive (GVA). 2021. "Mass Shootings in 2020" and "Mass Shootings in 2019." Washington, DC: GVA. <https://www.gunviolencearchive.org/past-tolls>.

Will gun businesses be required to notify their neighbors when they are applying for a Home Occupation Permit? I want to know if guns were being sold from a home in my neighborhood, if my children will be in the vicinity of that home, and how that business owner plans to keep our community safe from the guns they are selling.

Who will be monitoring these home gun sale businesses? Who will be in charge of ensuring compliance with City, State, and Federal regulations? Does Folsom police have the extra capacity to properly monitor these businesses? What additional safety measures will be in place to help protect against home invasions where the gun sales take place in residential neighborhoods?

With all of these unanswered questions and concerns, I think it is the responsibility of the Folsom City Council to add firearms/ammunition to the prohibited list of home businesses in our city. Please show us that you want Folsom to continue to be a family friendly place to raise our children and to put the welfare of our children above all else.

I appreciate your attention to this matter and your time in hearing my concerns.

Regards,
Sara Seberger

Desmond Parrington

From: Chris Yatooma [REDACTED]
Sent: Monday, January 24, 2022 2:36 PM
To: Desmond Parrington
Subject: Home Gun Sales

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Parrington:

I write to oppose the city's plan to allow the sale and distribution of home gun and ammunition sales. Home gun sales run counter to the bucolic, family-friendly reputation that Folsom is known for. While I'm not opposed to certain home businesses, I do not believe the city should allow gun sales from residential facilities. For reasons of pure safety, this type of activity seems incompatible in a residential neighborhood and is a better fit for a commercial establishment. I understand we are one of the few jurisdictions in the area to allow residential gun sales. I would ask that we follow the example of our neighbors and disallow this activity in our city.

Thank you. Chris Yatooma, [REDACTED]

Chris Yatooma
[REDACTED]

Desmond Parrington

From: Shelley Hudson [REDACTED]
Sent: Monday, February 7, 2022 12:13 PM
To: Desmond Parrington
Subject: DO NOT SUPPORT

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Greetings,

Home based gun sales should not be allowed in the City of Folsom. Please do not support this endeavor. I do not support this change.

(feel free to share my comments)

Shelley Hudson

Desmond Parrington

From: Ruth Anderson [REDACTED]
Sent: Monday, February 14, 2022 6:04 PM
To: Desmond Parrington
Subject: Gun Sales From Homes

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Parrington:

As a Folsom resident, I am proud of sharing the phrase "Wholesome Folsom" with friends when I talk about how much I love living here..

I was taken aback to learn that we allow people to sell guns from their homes. This is apparently news to many of my friends and neighbors as well.

With so many storefronts available in our city, I believe selling guns should only been allowed in visible areas designated for selling of goods.

I don't need to repeat the safety and social consequences of home sales. Every other city in Sacramento County apparently realizes this, and prohibits gun sales from homes.

Let's do the right thing,

Sincerely,

Ruth Anderson
Folsom Resident

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