



MEETING DATE: July 28, 2025

PRESENTED BY: Xavier Cervantes, AICP, CPM – Director of Planning

AGENDA ITEM: Conduct a public hearing and consideration of a Conditional Use Permit Renewal for a Home Occupation – Lucio Income Tax & Health Insurance Agency in a (R-1) Single Family Residential District, being Lot 12, Block 78, Mission Original Townsite Subdivision, located at 112 E. 5th Street, Applicant: Jose Manuel Lucio III, Adoption of Ordinance #_____ - Cervantes

NATURE OF REQUEST:

Project Timeline:

- June 20, 2025 – Application for Conditional Use Permit (“CUP”) submitted to the City for processing.
- July 2, 2025 – In accordance with State and local law, notice of required public hearings was mailed to all property owners within 200 feet of the subject tract, and notice of public hearings was published in the Progress Times.
- July 16, 2025 – Public hearing and consideration of a Conditional Use Permit by the Planning and Zoning Commission. **The Planning and Zoning recommended approval to the conditional use permit request.**
- July 28, 2025 – Public hearing and consideration of a Conditional Use Permit by the City Council.

Summary:

- The subject site is located at the southwest corner of E. Rafael Ramirez Street (E. 5th Street) and Doherty Avenue.
- Per Code of Ordinance, a home occupation requires the approval of a Conditional Use Permit by the City Council.
- The applicant has been operating a home occupation from his home since October 31, 2024. He utilizes the living room and the one-car garage as an office setting. He remodeled the garage to serve as a reception and waiting area. Ninety percent of his clients are serviced virtually, and the remaining clients are seen in person by appointment only.
- The proposed hours of operation are Monday – Friday from 9:00 am to 5:00 pm
- Staff: 2 employees, one living in the home.
- Parking: The driveway can accommodate one vehicle and the carport two more vehicles.
- The last conditional use permit for this home occupation was approved on July 22, 2024 for 1 year.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (23) legal notices to surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the following conditions:

1. Life of use permit approval with the understanding the permit can be revoked to due non-compliance.
2. Compliance with Section 1.56-1 (Home Occupations) of the Zoning Ordinance
3. Continued compliance with all City Codes (Building, Fire, Sign codes, etc.)
4. CUP is not transferable to others
5. Hours of operation to be as follows: Monday – Friday from 9:00 am to 5:00 pm

Departmental Approval: N/A

Advisory Board Recommendation: Approval

City Manager's Recommendation: Approval *MRP*

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____