

Owner's Compliance to City Ordinance 2013-15

During the Staff Presentation and Answers at last week's P&Z Meeting, the City Staff did not discuss the owner's lack of compliance on the various SUP requirements. Attached is a summary (Current City Ordinance/SUP Compliance Record) of the level of the owner's compliance on each of the 19 SUP requirements, along with the use of their House (Airstream) Trailer on-site.

The owner has not fully complied with most of the SUP requirements that he agreed to at the City Council Meeting 2 ½ years ago. The level of compliance or non-compliance varies by requirement. The neighbor's position of the **owner's lack of compliance was confirmed by Julie Dominguez, the City's Chief Code Enforcement Officer** in her review comments of the Applicant's zoning request.

*"Since Mr. Bohls has **voiced and displayed an intentional disregard of City ordinance already**, I think it will be **important to have clear violation and penalty statements**, especially since the request is that the requirements be made less stringent."*

At the P&Z Meeting, the owner was quoted saying, "***I am asking for these changes to clean up the vague language and unenforceable elements of the SUP.***" All requirements were publicly and voluntarily agreed to by the owner at the March 26, 2013 City Council Meeting. Now the **owner wants to institutionalize a record of non-compliance by removing key SUP requirements**. All the current SUP Requirements are clear and can be enforced by the City, if desired.

The neighbors ask that the City Council vote on January 26, 2016 to keep all SUP Requirements as written.

We hope that the City Council **does not reward a lack of non-compliance** by the owner by **voting to remove key SUP requirements** that were added by the Council to the SUP to protect the residential neighbors of the Event Center.

The SUP requirements, if complied with by the owner and effectively enforced by City Staff, will adequately protect our residential neighborhood.