



Independent, locally owned and operated!

www.lamorindaweekly.com 925-377-0977

Published April 27th, 2011

Model Home Needs Permit for Photo Shoots

By Cathy Tyson

Although photo shoots at Brian Griggs' lovely secluded home on four and a half acres just off South Silver Springs Road had been going on since 2004, it was only after a recent anonymous complaint by a neighbor that the city's Code Enforcement Officer informed the homeowner that using the residence as a business required a residential business land use permit.

Because the home has high ceilings and is very open, products can be "staged easily" said Griggs in a letter to the Planning Department, that-along with a generous garage for storage during multi-day shoots- makes the home attractive to merchants, including Williams-Sonoma, Pottery Barn, Cost Plus, Walmart, Restoration Hardware and Beverages and More. With a large turn around on the property, a lower parking area, and nearby retailers to pick up last minute props like plants and food for the crew for lunch - it's easy to see why he has repeat photography visits from these merchants. According to Griggs, over the past three years the home has averaged four shooting days per month, usually in the spring and fall to prepare for the next season's catalogs.

While some municipalities have a film permit application with associated fees, Lafayette doesn't. The City of Pasadena has a twenty-four page contract with a laundry list of multiple fees and requirements, while Morro Bay's contract is two pages long. At a recent meeting, Lafayette's Planning Commission weighed testimony and indicated it will likely grant a land use permit to allow residential business activity at the home on Fernside Lane. At press time, there is still some negotiation over the allowed hours of operation.

The small, quiet Silver Springs neighborhood was divided over the request for a land use permit. Many neighbors stated they didn't even know what was going on. The home is tucked back on a two hundred and fifty foot driveway off the end of Fernside Lane - a private road. "I'm not going to call it a civil war but a tribal skirmish," said longtime neighbor Mike Olson describing the repercussions of this process. "There is a small group with differing opinions than the rest of us." Opponents sited noise, safety and traffic as concerns; proponents noted it was not disruptive and that teenagers were by far more of a traffic hazard than professional delivery people.

Griggs, a 29-year resident of Lafayette with four kids, has reached out to smooth things over inviting immediate neighbors for an open house to see the parking situation on the property and where the photography takes place. He even offered a seven item list of self-imposed conditions. "The restrictions allow continued use of the property and also put in place measures that the City can enforce," said Griggs.

Planning Commissioners wrestled with the particulars of the Land Use Permit: limiting photo shoot days to forty per year, hours of operation, and imposing an expiration date in three years as a mechanism to review use. After three years, Griggs can request a new permit. All agreed that the City should research a more permanent film policy or ordinance. Temporary use permits can only be used for perishable businesses - like a fruit stand or a Christmas tree lot, because of his preference for an on-going situation, this type of permit isn't applicable.

Jay Lifson, Executive Director of the Chamber of Commerce concurred, commenting that there are hundreds of home-based businesses in Lafayette, "The City should have a policy or ordinance that is fair and equitable."

Reach the reporter at: cathy@lamorindaweekly.com

[back](#)

Copyright © Lamorinda Weekly, Moraga CA