

158.05. HOME OCCUPATIONS**158.05.01 Intent**

The intent of these home occupation regulations is to:

- A. Protect residential areas from adverse impacts of activities associated with home occupations.
- B. Permit residents of the community a broad choice in the use of their homes as a place of livelihood and the production or supplementing of personal and family income.
- C. Establish criteria and development standards for home occupations conducted in dwelling units and accessory structures in residential zones.

158.05.02 General Requirements

Home occupations require a permit from the Planning Director which is subject to the following restrictions.

- A. The primary use of the structure or dwelling unit shall remain residential, and the operator of the home occupation shall remain a resident in the dwelling unit.
- B. The operator conducting the home occupation shall be the sole entrepreneur, and he shall not employ any other person other than a member of the immediate family residing on the premises.
- C. No structural additions, enlargements or exterior alterations changing the residential appearance to a business appearance shall be permitted.
- D. No more than twenty-five percent (25%) of the floor area of any one (1) story of the dwelling unit shall be devoted to such home occupation.
- E. Such home occupation shall be conducted entirely within the primary building or dwelling unit used as a residence. No home occupation shall be conducted in any accessory building.
- F. No additional and separate entrance incongruent with the residential structural design shall be constructed for the purpose of conducting the home occupation.
- G. No provision for more than one (1) extra off-street parking or loading facilities, other than the requirements and the permitted facilities of the zone district, shall be permitted. No part of a minimum required setback distance shall be used for off-street parking or loading facilities, and no additional driveway to serve such home occupations shall be permitted.
- H. No display of goods or external evidence of the home occupation shall be permitted, except for one non-animated, non-illuminated, non-flashing announcement plate, indicating not more than the name of the occupation and name and address of resident. Said plate shall be attached flat against the wall of the residence and shall not exceed one (1) square foot in total surface area.
- I. No stock in trade or commodities, other than those prepared, produced, or created on the premises by the operator of the home occupation, shall be kept or sold on the premises.
- J. No electrical or mechanical equipment shall interfere with local radio communications and television reception, or cause fluctuation in line voltage off the premises.

158.05.03 Exempted Enterprises

Uses where the occupant utilizes a telephone or computer for "business" activity but does not receive customers or products shall be exempt from this classification as a business or home occupation, provided all of the other conditions of the one occupation are met.

158.05.04 Permit Procedure**A. Application**

Application for a Home Occupation shall be filed with the Planning Director on a form provided by the Director. An applicant for a Home Occupation permit shall pay fees in connection with the submittal of the application in accordance with fee schedules adopted.

B. Scope

In cases where the Planning Department considers the application not within the scope of the home occupation criteria, the application shall be denied.

C. Time Limit

All home occupation permits shall be valid for a period of one (1) year from initial date of approval.

D. Voiding of Permit

The Planning Department may void any home occupation permit for non-compliance with the criteria set forth in this Section 158.05. Revocation may take place at any time prior to the expiration date of the permit. If the permit is revoked, or is not renewed, it becomes null and void and said use shall be terminated.

E. Appeal to the Board of Zoning Appeals

The decision of the Planning Department concerning approval or revocation shall be final unless a written appeal is filed with the Board of Zoning Appeals within ten (10) calendar days of the decision. An appeal may only be filed by the applicant or persons residing within three hundred (300) feet of the subject property.

F. Inspection

Home occupation applicants shall permit a reasonable inspection of the premises by the Planning Department to determine compliance with these provisions. Home occupations shall be field checked annually by Planning Department staff to determine compliance.

G. Renewal

Home occupation permits may be renewed annually provided there has not been any violation of the provisions of these provisions. Requests for renewals shall be submitted to the Planning Department in writing, accompanied by the prevailing renewal fee, one (1) month prior to expiration of the permit.

158.05.05 Prohibited Uses

The following uses, by the nature of the investment or operation, have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses specified below shall not be permitted as home occupations:

- A.** Medical, Dental, Law, and Real Estate Offices;
- B.** Houses of Worship;
- C.** Dance Studios;
- D.** Automobile Repair;
- E.** Private Clubs;
- F.** Welding Shops.