

CHAPTER 7-8
HOME OCCUPATION

Sections:

- 7-8-101. Purpose.
- 7-8-102. Home Occupation Standards – Minor Home Occupation Defined.
- 7-8-103. Major Home Occupation Standards.
- 7-8-104. Home Occupation—Prohibited Uses.
- 7-8-101. PURPOSE.

To encourage the majority of business activities to be conducted in appropriate commercial zones. Business activities may be conducted within a residence on a limited basis if such activities comply with standards of this section. All home occupations shall be secondary and incidental to the residential use. The use should be conducted so that neighbors, under normal conditions, would not be aware of its existence. Home occupations are a temporary privilege which can be revoked if disruption of the residential neighborhood occurs.

- 7-8-102. HOME OCCUPATION STANDARDS
MINOR HOME OCCUPATION
DEFINED.

(1) A home occupation, major or minor, shall not be allowed unless it meets the following standards:

- (a) A home occupation shall not be permitted that changes the outside appearance of the dwelling. No exterior architectural modifications shall be made expressly to accommodate the commercial use in the home.
- (b) The home occupation may include the sale of commodities, however, the direct sales from display shelves are not allowed at the dwelling and products should be delivered to customers. Retail sales of products and services are allowed at the home with a maximum of two customers per hour.
- (c) The area of the home devoted to the home occupation and/or storage of stock in trade shall not occupy more than 25 percent of the area of any one floor.
- (d) The home occupation shall not involve the use of any yard space or activity outside of the residence, except where the use or activity is of the type that is customarily found in the residential neighborhood and where said use or activity does not adversely impact the residential nature of the neighborhood. Open storage in and storage or use of a garage is not allowed except for appropriate vehicle storage.
- (e) Advertising signs shall conform to the Sign Ordinance and shall be attached to the dwelling, except for minimum mailbox identification. Window displays or exterior evidence, except a two-square foot sign advertising the home occupation, is not allowed, except that which is customarily found in a residential area.

- (f) Only one vehicle may be used in association with the home occupation and shall be garaged or stored entirely on private property and not within the front yard of the dwelling. Off-street parking for the residents must be preserved in addition to the commercial vehicle. The vehicle used for the home occupation shall be limited to a maximum size of one-ton gross vehicle weight. A maximum of four square feet of signage will be allowed on the vehicle.
- (g) One trailer may be used in association with the home occupation. Trailers allowed in conjunction with a minor home occupation are as follows:
 - (i) An enclosed trailer with a body length of 20 feet or less. Materials shall not be stored on the outside of the trailer; or
 - (ii) An open trailer with a body length of 16 feet or less. The trailer shall be garaged or stored entirely on private property and not within the front yard of the dwelling. If the home is located on a corner lot, the trailer shall not be stored on the street side of the house unless it is out of the required 20-foot setback. The trailer may have a sign that covers up to 30% of the area, or 24 square feet, whichever is less, of each side. The trailer must be well maintained and must not present negative impacts for adjacent neighbors including, but not limited to, odors, dust, sounds, or parking location.
- (h) The home occupation shall not allow employees coming to the home other than those living in the dwelling.
- (i) Explosive or combustible materials shall not be stored for a home occupation. The home occupation shall not unreasonably disturb the peace and quiet of the neighborhood including, but not limited to, interference of radio, television or other electronic reception by reason of design, materials, construction, lighting, odor, dust, sounds, noise, vibrations, vehicles, parking and general operation of the business.
- (j) Promotional meetings for the purpose of selling merchandise or taking orders shall not be held more than once per month.
- (k) Garage, basement, yard or other similar sales shall not be allowed more than four times each year, and each sale shall not last more than 72 hours.
- (l) All home occupation shall be conducted only between the hours of 6 a.m. and 10:00 p.m.
- (m) There shall be complete conformity with all City and State codes, including business license regulations. Periodic inspections, as required by these codes, will be made as required by the type of home occupation.
- (n) Home occupation licenses may be reviewed and revoked upon valid unresolved complaint. Inspections by City may occur as necessary to assure conformance with these regulations.
- (o) Handicap persons can obtain a waiver through the Zoning Administrator to allow such persons to become self-sufficient.

(2) Home occupations which meet the above standards shall be defined as minor home occupations. Permitted minor home occupations include, but are not necessarily limited to, the following:

- (a) Artist, authors, architectural services
- (b) Barber shops and beauty shops
- (c) Consulting services, craft sales
- (d) Dance studio, aerobic exercise, music lessons, tutoring and general educational instruction, provided the number of students is limited to two at a time
- (e) Direct sales distribution
- (f) Data processing, computer programming
- (g) Home crafts
- (h) Garden produce
- (i) Janitorial
- (j) Insurance sales or broker, interior design
- (k) Mail order (not including retail sales from site)
- (l) Real estate sales or broker
- (m) Sales representative

(Ord. No. 03-21 Amended 03/18/2003)

7-8-103. MAJOR HOME OCCUPATION
STANDARDS.

Major home occupations are defined as home occupations which meet the standards listed in Section 7-8-102 above, except as specifically modified by the Planning Commission as provided herein. The Planning Commission may allow as a conditional use increases in intensity of a home occupation, as follows:

(1) The number of customers or patrons coming to the home may range up to six per hour, provided sufficient off-street parking is provided and the use does not adversely affect the neighborhood.

(2) A larger commercial vehicle may be used, provided it is parked on private property and adequately screened. Parking of the commercial vehicle shall occur on the side or in the rear of the home.

(3) Storage within the garage or accessory building may be allowed as long as two parking spaces for residential use are provided, and the garage still functions for parking.

(4) Instructional-type businesses may be located within an accessory building under the following conditions:

- (a) Must be conducted within an existing structure on the premises, other than a garage, which is not constructed primarily for the business.

- (b) Must be located within a legal/conforming enclosed structure and does not include a carport, garage, patio, breezeway, or any part of the yard space.
- (c) Maximum of six students per session. No more than one session at a time and no more than three sessions per day.
- (d) Hard surface access and off-street parking must be provided.
- (e) The use cannot displace the minimum required parking for the residence.
- (f) The business may only operate while classes are in session and students are present.
- (g) Only instructional-type uses are allowed
- (h) The use being taught must be a permitted use in that zone. Home occupations which may be considered may include the following uses or uses which are similar in character, origin or impact as determined by the Planning Commission:
 - (i) Uses which are oriented towards the arts, crafts or performing-type uses, such as a dance studio, exercise classes, floral design, music lessons, painting, pottery or woodworking.
 - (ii) No manufacturing or auto-related uses are permitted.
- (j) The Planning Commission may attach additional requirements and restrictions, such as hours of operation, number of classes per day or students per session.

(Ord. No. 01-48 Amended 11/19/2001; Ord. No. 03-21 Amended 03/18/2003; Ord. No. 03-47 Amended 06/17/2003)

7-8-104. HOME OCCUPATION—PROHIBITED USES.

Prohibited home occupations include, but are not necessarily limited to the following:

- (1) All prohibited and conditional uses listed in the C-1 Neighborhood Commercial Zone (7-6-1002), and all Residential Zones (7-6-803).

(Ord. No. 03-21, Add, 03/18/2003)