

Sec. 106-304.5 Home Occupations

(A) Intent: These standards for home occupations are established in recognition that certain small scale business activities may be appropriate as an accessory use to a residential dwelling. The character and scale of the business activity must be clearly minor and subordinate to the principal use of the property as a residence.

(B) General Standards:

1. All home occupations shall be operated by the resident occupants of the dwelling that is the location of the home occupation.

2. Only residents of the dwelling shall be engaged in the home occupation activity. No other employees shall be allowed at the site of the home occupation.

3. No dwelling used for a home occupation shall be altered or used in any manner that would cause the dwelling to differ in character from a residential use.

4. No retail or wholesale sales shall be permitted as part of any home occupation.

5. Lessons in the fine arts (dance, music, art), or tutoring shall be allowed as a home occupation provided the total number of students shall not exceed five per day.

6. The care of up to a maximum of five individuals (not including provider's own children and any children who reside in the home), or the tutoring of up to five individuals shall be permitted as a home occupation.

7. No signage shall be allowed. No advertising associated with the home occupation shall direct clients to the location of the home occupation.

8. The home occupation shall not require the use or storage of hazardous or toxic materials and no such material shall be associated with the home occupation.

9. There shall be no external storage of equipment or materials associated with the home occupation, and there shall be no external evidence of the existence of the home occupation on the property. One vehicle associated with the home occupation

shall be allowed, provided the vehicle is of a type and scale otherwise permitted by this ordinance.

10. The volume and characteristics of traffic associated with the home occupation shall be consistent with the volume and characteristic of traffic associated with dwellings in the general area.

11. The home occupation shall not involve the commercial delivery of materials or products to or from the premises. Incidental deliveries common to residential dwellings shall be permitted.

12. More than one home occupation may be located within a single dwelling provided the level of activity associated with all of the home occupations, when considered together, does not violate any of these general standards.

(C) Application Process:

1. The administrator shall be responsible for reviewing all applications for home occupations.

2. Applicants for home occupations shall complete a home occupation application and in doing so shall indicate compliance with the intent of these regulations and the general standards contained herein.

3. If the administrator believes that a proposed home occupation will comply with the intent and general standards contained herein, the application for the home occupation shall be approved.

4. If the administrator believes that a proposed home occupation will not comply with the intent and general standards contained herein, the administrator shall notify the applicant of the changes necessary to achieve compliance with these provisions. If the applicant disagrees with the opinion of the administrator, the administrator may, and at the request of the applicant shall, refer the application to the Commission and Council who shall review the application as a special exception pursuant to the provisions of this ordinance.

(D) Renewals:

1. All approved home occupations shall be granted for a period of 12 months. Applicants shall be responsible for requesting a renewal of any approved home occupation.

2. Except as provided below, the administrator shall review all renewal requests, and shall approve all requests that are consistent with these standards. The administrator may approve renewals of home occupations approved by Council, provided the home occupation has not changed in character or scale from that approved by Council, and is being operated in accordance with these provisions.

3. If a home occupation is operated in violation of these standards at any time during any twelve-month period, the administrator shall not have the authority to renew the application and shall refer the application to the Commission and Council, which shall review the application as a special exception pursuant to the provisions of this ordinance.

(E) Enforcement:

1. The administrator shall have the authority to require compliance with these provisions. When, in the opinion of the administrator, an operator of a home occupation violates the home occupation standards contained herein, the administrator shall require compliance pursuant to the procedures contained in Sec. 106 - 514.