

DRAFT HOME OCCUPATION ORDINANCE

§ 156.058 HOME OCCUPATIONS

(A) Purpose. Home occupations are permitted to encourage small businesses and personal entrepreneurship while preserving the residential character of neighborhoods. Regulations are intended to control only those activities that create impacts outside the home, not the type of work performed inside.

(B) A Home Occupation is any business, profession, service, or trade conducted within a dwelling unit or its attached accessory spaces which is clearly secondary to the residential use of the property and operates in a manner that does not significantly alter the residential character of the neighborhood.

(C) Permitted Home Occupations. A home occupation is allowed in any residence without a conditional use permit so long as all of the following standards are met:

- (1) The business shall be operated by a resident of the dwelling.
- (2) The business shall be conducted within the dwelling or customary accessory structures.
- (3) No more than two (2) non-resident employees may work on the premises at any time.
- (4) The residential appearance of the property shall not be altered.
- (5) No commercial signs or exterior advertising shall be permitted unless otherwise allowed in the regulations for the zoning district in which the dwelling is located.
- (6) No outdoor storage or display of materials or merchandise shall be permitted.
- (7) Client and customer visits shall be managed to avoid impacts comparable to commercial operation. No more than four (4) clients, customers, and/or non-resident employees shall be present at any single time, and scheduling shall not create traffic patterns or parking demand exceeding normal residential activity.

(D) Traffic & Parking. The business shall not generate traffic or require additional on-site or street parking beyond what is typical of a residential use.

(E) Noise, Safety, and Nuisance

- (1) No noise, vibration, odor, dust, glare, smoke, or similar impacts shall be detectable beyond the property line.

(2) Equipment, tools, or activities may be used provided they do not create detectable external impacts.

(3) The business shall not create a public safety hazard.

(F) Vehicles

(1) No vehicle larger than a standard pickup truck or cargo van may be parked or stored on the property or the adjacent street as part of the business.

(2) No dump trucks, box trucks, or commercial equipment haulers may be kept on site.

(3) One utility trailer or equipment trailer not exceeding 16 feet in length may be stored on site in connection with a home occupation. The length restriction shall not apply to mobile food vendors.

(G) Conditional Home Occupations. A home occupation that does not meet the standards of part (C) may be allowed by the Board of Zoning Adjustment as a conditional use only in circumstances where the proposed operation is such that it either is or can be reasonably conditioned so that external impacts remain comparable to residential use in order to protect surrounding residences.

The BZA may impose reasonable conditions including, but not limited to:

- Limits on hours of operation
- Customer visit scheduling
- Parking locations
- Noise mitigation
- Equipment placement or enclosure

(H) Prohibited Home Occupations. The following uses are prohibited as home occupations:

- (1) Adult-oriented businesses.
- (2) Any use involving the sale of alcoholic beverages for on-site consumption.
- (3) Automobile repair involving frequent outdoor storage of vehicles.
- (4) Businesses involving hazardous materials prohibited by state or federal law.
- (5) Walk-in retail sales or storefront business operations open to the general public.

(l) Enforcement

(1) Enforcement shall be initiated by complaint or observable violation.

(2) Violations shall focus solely on external impacts.

(3) The city shall not regulate interior business operations except as required for enforcement of applicable building, fire, health, or safety codes.