

### 800.3 Home Occupations.

This Section establishes five (5) accessory use categories where the principal use of an single-family dwelling unit is complemented with an accessory use for a home-based enterprise subject to very limited conditions in order to protect single-family neighborhoods and residential character.

A home occupation may be permitted provided that:

- (1) Any property owner seeking to establish a home occupation shall apply to register the home occupation with the Zoning & Planning Official pursuant to Section 800.10. In addition to the requirements outlined below, the Council may place any reasonable conditions on the application deemed necessary to ensure the orderly operation of the proposed home occupation and compatibility with surrounding properties.
- (2) Home occupations shall be conducted on residentially zoned property entirely within a totally enclosed building.
- (3) Home occupations shall not include the repair and/or maintenance of engines, motor vehicles, equipment, or large appliances on the premises; any use that creates noise, dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit; nor any use that may endanger the health, safety, or welfare of the neighborhood.
- (4) Home occupations shall not include any outside storage or services (Section 800.5), display (Section 800.6), or signs (Article X) unless outlined therein. Nor shall there be any other exterior evidence of a business being conducted on the premises.
- (5) Home occupations shall be limited to only one (1) commercial vehicle used exclusively by the resident for business purposes, that is either a passenger automobile or light truck. All parking areas shall be in compliance with Section 520, with the location to be approved by the Zoning & Planning Official.
- (6) Home occupations shall be limited to two (2) pickups/deliveries per day to the site by light or medium truck delivery vehicles. Heavy truck deliveries are prohibited. All loading/unloading areas shall be in compliance with Section 530, with the location to be approved by the Zoning & Planning Official.
- (7) Home occupations shall be limited to one per dwelling unit. For the purposes of this section, accessory uses shall not be allowed to have accessory home occupations.
- (8) Home occupations (Residential Business) shall pay and remain current on the annual occupation tax for the accessory use – move to 800.32.

#### 800.31 Additional Minimum Requirements – Home Office. A home office:

- (a) shall include: i) routine accounting or clerical procedures or ii) bookkeeping area for a business fully conducted away from the premises, so long as all other standards of this section are met;
- (b) shall not include: i) the sale, manufacture, or repair of merchandise; ii) the storage of inventory, raw materials or other materials; iii) the parking of commercial vehicles in front yards; iv) nor the repair of small appliances on the premises;
- (c) shall be valid for a tenant of the property if the property owner provides written approval for a home occupation;
- (d) shall not include any access for business by the public;
- (e) shall be limited to no more than twenty-five percent (25%) of the heated living area of the ground floor area of the principal structure or five hundred (500) square feet, whichever is smaller; and,
- (f) shall have no employees other than family members who reside in the dwelling unit.
- (g) shall also be allowed for multi-family units, provided that there is no usage of a either commercial vehicle or delivery vehicles.

#### 800.32 Additional Minimum Requirements – Residential Business. A residential business:

- (a) shall include: small-scale office or service uses, limited to: (i) beauty/barber shops, tailor / seamstress shops, instruction of less than three pupils a session; (ii) professional offices, excluding human and animal healthcare professionals; and (iii) small appliance and audio/video/computer equipment repair shops;
- (b) shall be valid as long as the dwelling unit is owner-occupied;
- (c) shall maintain a city license, subject to annual renewal in accordance with the minimum operational standards set forth in the Code of Ordinances, Section 22;
- (d) shall not include any business involving group instruction, except as noted above, on the premises;
- (e) shall be limited to no more than thirty-five percent (35%) of the heated living area of the ground floor area of the principal structure or seven hundred (700) square feet, whichever is smaller; and,
- (f) shall have no more than one (1) employee in addition to family members who reside in the dwelling unit.

**800.33 Additional Minimum Requirements – Bed & Breakfast Operation.** A bed and breakfast operation shall be allowed only under these prescribed conditions:

- (a) shall not include: i) pets of guests; ii) meal service other than breakfast or cooking by guests; iv) sale of alcoholic beverages, beer and/or wine on the premises;
- (b) shall be valid as long as the dwelling unit is owner-occupied and lived in by the owner(s) described in Section 200 (10) while in operation;
- (c) shall maintain a city license, subject to annual renewal in accordance with the minimum operational standards set forth in the Code of Ordinances, Section 22;
- (d) shall be limited detached single-family dwellings containing at least 2,500 sq.ft. and a minimum lot acreage of .75 acres for one (1) guest room, and an additional .125 acres for every additional guest room;
- (e) shall be located on premises not nearer than 2,000 feet from an existing principal residence with an accessory bed and breakfast, as measured from property line premises to property line;
- (f) shall have no more than four (4) bedrooms used for guest room purposes;
- (g) shall have two (2) parking spaces for residents and one (1) space per guest room; such parking shall be of pervious construction and mitigated by landscaping; and, no off-street parking or parking in the front yard shall be permitted at any time;
- (h) shall have no more than one (1) employee in addition to family members who reside in the dwelling unit;
- (i) **Conditional Use – Standards for Consideration:**

In addition to the standards for conditional use application decisions as set forth in Section 1125.5, public hearings shall specifically take into consideration in making a decision the extent to which:

- i) construction plans for additions or alterations are compatible in appearance, scale and footprint to other single-family dwellings along same block;
- ii) parking is mitigated by existing and proposed landscaping and easily reversible at the cessation of this accessory use;
- iii) the proposed accessory use is secondary to the principal use, is reversible in nature, and operates in harmony with the principal single-family use and surrounding residential area; and,
- iv) any other considerations necessary to protect the health, safety, and welfare of an established single-family zoning district.

**[AMENDMENT – 14-5.12\_Child & Personal Care]**

**800.34 Additional Minimum Requirements – Child-Care Home, Family and Group.** Said homes shall be allowed only under these prescribed conditions:

- (a) shall be valid as long as the dwelling unit is owner-occupied and lived in by the owner(s) described in Section 200 (10) while in operation;
- (b) shall maintain a state license, and a city license, subject to annual renewal in accordance with any additional minimum operational standards set forth in the Code of Ordinances, Section 22;
- (c) shall be limited to detached single-family dwellings containing at least 1,600 sq.ft., and property meeting the minimum lot area based on the current residential zoning district and no less than .25 acres for all other properties;
- (d) shall be located on premises:
  - (i) for a family child-care home, not nearer than 2,500 feet from an existing principal residence with family child-care home, as measured from property line premises to property line;
  - (ii) for a group child-care home, not nearer than 5,000 feet from an existing principal residence with family or a group child-care home, as measured from property line premises to property line;
- (e) shall have no more than one (1) employee in addition to family members who reside in the dwelling unit;
- (f) shall limit outdoor play areas to rear yards,
  - (i) which shall have a minimum of a four (4) foot fence fully enclosing said play area; and,
  - (ii) for a group child-care home, shall also have a minimum of a 10' opaque vegetative buffer for side and rear yards abutting any residential land use;
- (g) shall limit loading/unloading and parking of vehicles to private property;
- (h) shall cease with the transfer of ownership of the property.
- (i) **Conditional Use – Standards for Consideration:**

In addition to the standards for conditional use application decisions as set forth in Section 1125.5, public hearings shall specifically take into consideration in making a decision the extent to which:

- i) construction plans for additions or alterations are compatible in appearance, scale and footprint to other single-family dwellings along same block;