

CHAPTER XXI

117.2100 HOME BUSINESS

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117.2101 Purpose

There are special regulations that apply to ensure that home businesses will not be a detriment to the character and livability of the surrounding neighborhood. The regulations ensure that the home business remains subordinate to the residential use, and that the residential viability of the dwelling is maintained. The regulations recognize that many types of jobs can be done in a home with little or no effect on the surrounding neighborhood.

117.2102 Definitions

- A. Home business: an activity operated for pecuniary gain in, or directed from, a residential dwelling or building by one or more persons residing on that property.
- B. Nonresident employee: includes an employee, business partner, co-owner, subcontractor, or other person affiliated with the home business, who does not reside at the site, but who works on site as part of the home business. Two (2) one-half time nonresident employees are considered one (1) nonresident employee.

117.2103 Description of Home Businesses

Home businesses are permitted uses in certain zoning districts if they comply with all of the requirements of this chapter.

- A. Type A. A Type A home business is one in which the residents use the dwelling as a place of work with no more than one (1) nonresident employee. Examples include, but are not limited to, artists, crafts people, writers, consultants, counseling, accounting, and giving lessons. Type A home businesses can also provide an opportunity for a dwelling to be used as a business address. Type A home businesses are clearly incidental to a residential use. A Type A home business must be entirely within the dwelling, and not in an accessory building or structure. A Type A home business shall not occupy more than twenty five (25) percent of the floor area of the dwelling. Type A home businesses are allowed in all zones where dwellings are allowed.
- B. Type B. A Type B home business is one in which the residents use the dwelling and/or accessory structure as a place of work. One (1) nonresident employee may be hired by a Type B home business. A Type B home business may serve as a dispatch center where employee(s) come to the site and are dispatched once per day to other locations. Examples include, but are not limited to, lawn maintenance and construction trades. Type B home businesses are allowed in the "A" Agricultural and "V" Village zones by special use (117.1807).

117.2104 Use-Related Regulations

- A. Allowed Uses. The intent of the regulations of this chapter is to establish standards for all home businesses rather than to limit the allowed uses to a specific list. Uses which comply with the standards of this chapter are allowed by right unless specifically listed in 117.2104B. The provisions of this section shall not be deemed to supersede any deed restriction, covenant, agreement, master deed, by-laws or other documents which prohibit a home business.
- B. Prohibited Uses.
 - 1. Warehousing and rental of storage space for pecuniary gain is prohibited.
- C. Additional Home Business Regulations.
 - 1. Hours. Customers may visit the site only during the hours of 8 am to 9 pm.
 - 2. Customers. Customers are by appointment only. No more than six (6) customers or clients may be scheduled to visit the site in a day.
 - 3. Retail sales. Retail sales of goods must be entirely incidental to any services provided on the site (such as hair care products sold as an accessory to hair cutting). Other retail sales must be through the internet, catalogs, craft shows, off-site outlets, or delivery of "Amway / Mary Kay" type products.
 - 4. Number of home businesses. Multiple home businesses must comply with the limits for a single home business.

117.2105 Site-Related Standards

- A. Appearance of Structure and Site. The dwelling and site must remain residential in appearance and characteristics. External changes which will make the dwelling appear less residential in nature or function are prohibited. Examples of such prohibited alterations include construction of customer parking lots, marking customer parking spaces, or adding commercial-like exterior lighting.
- B. Type B Home Business Outdoor Activities
 - 1. All business activities on-site must be in completely enclosed structures.
 - 2. Exterior storage and/or parking of multiple mobile equipment related to the business is allowed provided it is screened/buffered from view.

117.2106 Impact-Related Standards

- A. Hazardous Substances. Hazardous substances are prohibited, except at the consumer commodity level.
- B. Noise. The maximum noise level for a home business is fifty (50) dBA. Noise level measurements are taken at the property line.

- C. Signs. See 117.300 Signs. Additionally one non-illuminated, sign of compatible color mounted on or next to the building doorway entrance not to exceed seventy-two (72) square inches is allowed.
- D. Interference. The business uses no equipment or processes that create vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, detectable at the property line.
- E. Waste. There is not any solid waste generated or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- F. Deliveries. Truck deliveries or pick-ups of supplies or products, associated with the home business, are allowed only between 8 am and 5 pm. Vehicles used for regular home business delivery and pick-up may not include heavy trucks.

Strikethrough are deletions

Bold/Italic are additions

The following additions/deletions are also proposed:

117.103

~~Home occupation. An occupation clearly incidental to a residential use, when engaged in only by a resident entirely within his dwelling, and not in an accessory building or structure and with the assistance of not more than one (1) non-resident employee. Such use shall not occupy more than twenty-five (25) percent of the floor area of the dwelling.~~

~~117.213 Home occupations.~~

~~Sec. 2.13. Unless otherwise specified herein, home occupations will be permitted in the R and V zones only upon approval as a special exception as provided in Section 18.07.~~

117.601 Permitted uses.

- E. ~~Home occupations~~ **Type A Home Business.**

117.604 Uses permitted by Special Use Permit (special exception)

- 9. Type B Home Business.**

117.801 Permitted uses.

- H. **Type A Home Business.**