

5.2.30. Home Occupations

There are two categories of home occupations: residential home occupation and rural home occupation. Separate standards and criteria apply to each category. This Section is not meant to regulate a small home lawn mowing service, lemonade stand, magazine sales, cookie sales, or other traditional small-scale businesses or business-like activities operated by a child residing in the dwelling, which are considered exempt from the provisions of this Code; however in no instance may a medical marijuana land use qualify as a home occupation. A site plan and/or home occupation permit may be necessary to verify compliance with the home occupation standards.

(A) Residential Home Occupation

(1) Intent

It is the intent of this Section to provide clear standards for home occupations in zones that allow residential use which will ensure compatibility with the residential purposes of those zones and that there are no adverse effects on the residential character of those zones, and which will not allow in residential zones those uses allowed in commercial and industrial zones except as specifically authorized by this Section.

(2) Allowed Residential Home Occupations

The following home occupations shall be allowed in a zoning district where residential uses are allowed, subject to the standards and requirements of this Section:

- Any principal or sideline occupation or trade or any hobby which results in the sale or trade of any products manufactured by the resident on the premises or the preparation or provision of any service by the resident on the premises;
- Any professional or business office, whether the resident's principal or occasional work place;
- Any educational or training service requiring pupils, students or trainees to come to the premises for instruction by resident (e.g., music or art studios);

- Any non-profit, civic, or religious organization or association for which the resident is employed, works, serves, or represents, whether or not the resident is remunerated for the services; and
- Any bed and breakfast home, which operates in conformance with specific-use and all other applicable development standards of this Code.

(3) Excluded Uses

A residential home occupation shall not include the following uses:

- Auto repair garages, auto re-conditioning (detailing), or auto body/paint shops;
- Any form of food service (restaurants, catering, etc.);
- Any form of vehicle/trailer sales or rental storage;
- Contractor's equipment yard or equipment rental or sales;
- Funeral parlor;
- Any form of hospital (other than doctor's office);
- Any form of pet boarding or veterinary hospital;
- Any form of rental warehousing;
- Commercial stables;
- Any trucking, hauling, bussing, taxi, or limousine dispatch service which would require the parking of vehicles on site between jobs or service calls; or
- Any industrial or heavy commercial use.

(4) General Standards for Residential Home Occupations

(a) Accessory in Character

The residential home occupation shall be clearly subordinate to the use of the lot as a residence, and the use of the dwelling or detached accessory structure for the home occupation shall not result in any visual or other essential change in the residential character of the property.

(b) Person Conducting Occupation Resides on Lot

The residential home occupation shall be conducted only by a person or persons residing on the lot or parcel and only so long as contained entirely within the dwelling or a detached accessory structure.

(c) Limit on Area

The total area used for the home occupation shall not exceed 25% of the existing dwelling and/or more than 500 square feet of any accessory structure. The operation of a home occupation shall not result in the elimination of the dwelling's kitchen or all of its bedrooms.

(d) Signage and Advertising

There shall be no advertising of the home occupation visible outside the dwelling except in accordance with the signage provisions in Chapter 6. Except by customary exterior residential lighting, no sign illumination is allowed.

(e) Outside Storage Prohibited

There shall be no outside storage or display on the premises of material, tools or equipment used as part of the home occupation or any products manufactured as part of the home occupation.

(f) Sales Limited

No sale of goods, supplies, or other inventory shall be allowed unless the sales are clearly incidental and related to providing a service (e.g., sale of hair care products at a beauty shop; occasional sale of a firearm by a gunsmith; incidental retail sales where the home occupation is a mail order, internet, or delivery business, brokers of firearms where inventory is not maintained on site except for specific transactions) or unless the items are produced, constructed or assembled on the premises or are clearly incidental and related to the sale of the homemade items. Nothing in this Section shall limit the ability of the home occupation to sell products mail order via the internet or by telephone.

The home occupations operator shall be required to obtain and maintain all applicable licenses and pay applicable sales tax.

(g) Limit on Visitation by Clients

The occupation will ordinarily not bring more than 3 clients or customers to the lot or parcel at any one time.

(h) Parking Spaces Required

If the home occupation will result in any clients or customers coming to the property, no less than 2 parking spaces shall be available.

(i) Nuisances and Hazards Avoided

Any mechanical, electrical or electronic equipment or machinery used in the home occupation shall be operated in a fashion so that no noise, vibration, glare, fumes, odors, heat, or electrical interference are detectable to the normal senses beyond the boundary line of the lot or parcel. In no case shall any equipment be allowed which involves the use of hazardous, explosive or highly flammable (other than fuel needed to power the equipment) substances or which produces hazardous, explosive or highly flammable wastes or products.

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(j) Conducted In Accordance with Laws

The occupation is conducted in compliance with all applicable building, fire, health, and environmental laws, codes, and regulations.

(k) No Visual Impacts

No activity associated with a home occupation shall be allowed which results in detrimental visual impacts to the surrounding neighborhood.

(l) More than One Home Occupation Allowed

More than one home occupation may be conducted on any property provided that aggregate impacts are limited to those allowed by this Code.

(m) Deliveries Limited

Deliveries other than standard parcel services are prohibited