

11-304.2 Home Occupation Permits.

- (1) When used; Process. A business, that is accessory to the residential use of the property, that includes clients or customers coming to the residence or if a person not residing at the residence is employed at the residence, requires a Home Occupation Permit. A home occupation cannot include both clients or customers coming to the residence and someone not residing at the residence employed at the residence. The initial Home Occupation Permit is subject to Planning Commission review and approval; subsequent renewals are administrative. The Planning Commission must conduct a public hearing and is the decision maker, subject to appeal to the City Council. The Home Occupation Permit is issued in favor of the applicant, and does not run with the land. Such permit is not, however, transportable from one property to another. A permit is valid for two years, subject to revocation.
- (2) Standards for Approval. To maintain the character and integrity of residential areas, and protect the health safety and general welfare of the surrounding neighborhood, home occupations are permitted provided the applicant complies with the following standards:
 - (a) The establishment or maintenance of the home occupation will not be detrimental to the public health, safety, or general welfare;
 - (b) The home occupation will not be hazardous, detrimental, or disturbing to present and potential surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, general unsightliness, electrical interference, or other nuisances;
 - (c) The home occupation will be located, designed, maintained, and operated to be compatible with the existing or intended character of the zoning district in which it will be situated;
 - (d) The home occupation will generate only minimal vehicular traffic on local streets and will not create traffic congestion, unsafe access, or parking needs that will cause inconvenience to the subject property as well as the adjoining properties: and
 - (e) The home occupation is clearly accessory use to the residential use of the property and does not change the character thereof.
 - (f) Nothing is discernible to surrounding properties indicating that a home occupation is being conducted except for a sign as permitted by Section 11-1203, a garden, or one motor vehicle whose nature or signage indicates it is used in the business. There is no outdoor storage or display of equipment, merchandise or materials used in the home occupation.
 - (g) No external alterations are made that are not customarily found in dwellings and accessory buildings.
 - (h) If the home occupation is carried on in the garage, the minimum amount of required garage space is maintained as garage space.

- (i) All vehicles brought to the property in conjunction with the business are parked in the driveway. Residents' vehicles are not parked in the streets to provide these driveway parking spaces. No parking spaces are improved to provide for the home occupation. Any vehicle whose nature or signage indicate it is used in the business is parked in the driveway or garage.
- (j) No more than one person who does not reside on the premises works on the premises.
- (k) No one is transported from the premises to a job site who does not reside on the premises.
- (l) The home occupation is serviced by delivery vehicles no larger than 26,000 pounds gross vehicle weight.
- (m) The following home occupations are prohibited: sales, except those items made on the premises or incidental to the service provided; repair of internal combustion engines of more than 12 horsepower; body shops; machine shops; welding; ammunition manufacturing; flea markets; motor vehicle repair, maintenance, service or sale; firearm sales; tattoo parlors or other objectionable uses as determined by the City Council. Machine shops are defined as places where raw metal is fabricated, using machines that operate on more than 110 volts of current.
- (n) The hours of operation are limited to between 9:00am and 8:00pm not to exceed a total of 30 hours per week.
- (o) The Home Occupation can occupy no more than 400 square feet or 25 percent of the above grade finished floor area of the principal structure, whichever is smaller.
- (p) Storage of hazardous or flammable materials in excess of consumer quantities which are packaged for consumption by individual or household use is prohibited.