
3.15 Home occupations. (PROPOSED)

DEFINITIONS

Home Occupation: An occupation or profession that is conducted entirely within a dwelling or accessory structure, which is clearly incidental and subordinate to the primary residential use of the property. The occupation shall be conducted exclusively by family members residing on the premises, shall not involve customers or clients visiting the property, and shall not alter the residential character of the structure or surrounding neighborhood.

Principal Dwelling: The primary residential structure on the property that is lawfully occupied as the full-time residence of the property owner.

Business Vehicle: A vehicle used in conjunction with a home occupation, excluding heavy equipment or commercial trucks exceeding one-ton capacity.

Utility Trailer: A non-commercial trailer not exceeding 5x8 feet, used in connection with a home occupation and stored on the premises without visible commercial contents.

Bona Fide Residence: The primary, legal residence where the practitioner resides full time.

DEVELOPMENT STANDARDS

Home occupations shall be permitted in ALL Districts provided the following criteria are met:

- (a) No home occupation may commence operations without prior written approval from the Zoning Administrator or their designee.
- (b) A home occupation shall be permitted only if it is conducted entirely within the principal dwelling or an accessory structure located on the same residential parcel. The principal dwelling must serve as the bona fide residence of the principal practitioner.
- (c) No more than two commercial ventures (including home occupations, residential businesses, and/or rural businesses) shall be allowed in any residence at one time.
- (d) Home occupations must be incidental to the use of the premises as a residence, compatible with surrounding residential uses, limited in extent, and not detracting from the residential character of the neighborhood.
- (e) The total area utilized for the home occupation shall not exceed 500 square feet or 25% of the total heated floor area of the dwelling or accessory structure, whichever is less. This area must be declared at the time of application.
- (f) The total area proposed for the home occupation shall be declared in the application submitted to the Zoning Administrator or their designee.
- (g) All activities related to the home occupation shall occur entirely within the principal dwelling or accessory structure located on the same residential parcel.

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- (h) Any structural modifications to the principal dwelling or accessory structure for purposes of conducting a home occupation shall be architecturally compatible with surrounding development and comply with all applicable building and zoning codes.
 - (i) No customers or clients shall be permitted on the premises in connection with the home occupation.
 - (j) Home occupation operations shall not produce noise that constitutes a nuisance. Operations shall not produce odors, vibrations, fumes, glare, electrical interference, or any other disturbances that are disruptive to the surrounding residential environment. All such activities shall remain entirely contained within the dwelling or accessory structure in which the occupation is conducted and shall not result in impacts that are perceptible beyond the property boundaries.
 - (k) Home occupation activities shall only occur Monday through Saturday, between the hours of 7:00 a.m. and 7:00 p.m.
 - (l) Waste disposal for home occupation shall not produce hazardous materials, excessive waste or pollutants beyond what is normally associated with a residential use.
 - 1) No on-site burning, burying, or stockpiling of waste materials is permitted.
 - 2) Waste or by-products shall not be stored outdoors unless enclosed and screened from public view.
 - 3) The property shall not be used for the storage or disposal of toxic, flammable, or hazardous substances beyond household quantities.
 - 4) Noise/odor impact: Waste shall not result in odor, vermin, or unsanitary conditions detectable beyond the property line.
 - (m) Only one business vehicle and utility trailer used exclusively by the resident is permitted.
 - 1) The vehicle shall be no larger than a pickup truck, panel truck, or van and limited to a one-ton carrying capacity.
 - 2) One utility trailer not exceeding 5x8 feet, shall be permitted. The trailer shall not be a commercial utility trailer and may be parked in the yard provided no commercial equipment or materials are visible.
 - (n) All home occupation approvals shall be subject to periodic review and shall coincide with the renewal of the home occupation license. Approvals may be granted for the initial term of one (1) year, and may be renewed annually thereafter, subject to continued compliance with all applicable standards.

At the time of renewal, the County reserves the right to:

- 1) Reevaluate the operation for compliance with the ordinances.

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- 2) Modify conditions of approval as necessary to address new or ongoing impacts.
 - 3) Require updated documentation or inspection, if deemed necessary by the Zoning Administrator or their designee.
 - 4) Revoke or deny renewal of the license if violations are found and not corrected within a reasonable timeframe.

Failure to renew the home occupation license annually shall result in automatic expiration of the approval.

PROHIBITED ACTIVITIES

- (a) Repair or mechanical maintenance of motor vehicles, boats, recreational vehicles, or equipment, or any use which creates noise, noxious odors, or hazards that may endanger the health, safety, or welfare of the neighborhood.
- (b) Any use that causes electrical interference detectable beyond the dwelling or accessory structure in which it operates is expressly prohibited.
- (c) Any other use determined by the Zoning Administrator or their designee to be incompatible with the residential nature of the neighborhood.
- (d) There shall be no exterior visibility of a business being conducted on the premises.
- (e) No signage related to the home occupation is permitted on the premises to maintain the residential character of the property.

ENFORCEMENT AND VIOLATIONS

- (a) The Code Enforcement or their designee may inspect home occupations to ensure compliance.
- (b) The County reserves the right to inspect home occupations for compliance with waste disposal requirements.
- (c) Violations may result in revocation of approval, notices of violation, fines, or other penalties per County Ordinances.
- (d) Continued noncompliance may result in legal action, including injunctive relief.

APPEALS

- (a) Any applicant whose home occupation request has been denied by the Zoning Administrator or their designee shall have the right to appeal the decision.
- (b) A written notice of appeal must be submitted to the County Planning Department within thirty (30) calendar days of the date of denial. The notice shall state the grounds for appeal and include any supporting documentation the applicant wishes to provide.

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- (c) Upon receipt of a timely and complete appeal, the matter shall be scheduled for a public hearing before the Board of Commissioners.
 - (d) The Board of Commissioners shall consider the appeal at its next regularly scheduled meeting, provided proper public notice requirements are met. The Board may affirm, modify, or overturn the decision of the Zoning Administrator based on the evidence presented. The final decision shall be documented in writing and provided to the applicant.
 - (e) The decision of the Board of Commissioners shall be final, subject to any further legal remedies available under state law.