

§ 152.046 (F) (7) HOME OCCUPATION

A home occupation shall be considered a permitted accessory use in all residential zoning districts provided that they do not change the character of the surrounding residential area by generating more traffic, noise, odors, visual impacts, or storage of materials than would normally be expected in a residential zoning district, and if it complies with the following regulations:

- (a) All home occupations shall be clearly incidental and subordinate to the use of the property and dwelling unit for dwelling purposes. **A valid city business registration shall be maintained for the home occupation use.**
- (b) Each dwelling unit shall be limited to one permitted home occupation. Any additional home occupations shall require a conditional use permit.
- (c) All home occupations shall be conducted entirely from within the principal residence or enclosed accessory buildings (i.e. detached garage) except for home occupations that require the use of accessory structures allowed within the subject zoning district (i.e. the use of swimming pools for swimming lessons, play structures for day care, or horse corrals for horseback riding lessons) as long as they do not create a noxious environment for neighboring properties.
- (d) Areas devoted to the home occupation use shall maintain a residential character and appearance.
- (e) There shall be no employees of the home occupation other than persons residing in the dwelling unit where the home occupation is being operated.
- (f) There shall be no external evidence of the home occupation such as greater volumes of traffic, noise, dust, odors, fumes, vibration, electrical interference or fluctuation or other nuisances discernible beyond the property lines than would normally be expected in a residential neighborhood.
- (g) A home occupation shall not be conducted in a way that is perceptible in external effects (such as but not limited to noise, odors, traffic) from beyond the property line between the hours of

8:00 p.m. and 6:00 a.m. This time limit shall also apply to any loading or unloading of vehicles on the property or on a street that causes noise to adjoining residents.

- (h) There shall be no use of show windows, business display or advertising visible from the exterior of the building, except as is specifically permitted in § 152.058, that indicates the premises are being used in part for any purpose other than a dwelling.
- (i) The home occupation shall not result in excess generation of solid waste or use of utilities and public facilities in amounts greater than normally provided for residential use.
- (j) Any parking incidental to the home occupation shall be provided only in the residential driveway, subject to compliance with the off-street parking requirements of § 152.056.
- (k) The home occupation shall not involve the parking or storage of more than two vehicles having a gross vehicle weight over 10,000 pounds on the lot or on adjacent streets at any period of time. However, in the RE-2A and RE-1A zoning district, the parking and storage of up to two vehicles, directly related to the home occupation, with a gross vehicle weight of more than 10,000 pounds shall be allowed within a fully screened side or rear yard.
- (l) Storage of goods and materials necessary for the home occupation shall be fully enclosed within a building or structure.
- (m) The following are examples of uses which would be acceptable as home occupations provided, they comply with the above regulations:
 - 1. Home offices with little or no client visits to the home;
 - 2. Catering for off-site consumption;
 - 3. Personal services such as a beauty shop, barbershop, and seamstress;
 - 4. Artists, sculptors, jewelry makers, and composers not selling their artistic product to the general public on the premises;
 - 5. Fine arts lessons (music, art, crafts, dance), tutoring and swimming lessons;
 - 6. Tax preparation;
 - 7. Computer programming and software development; and
 - 8. Day care (maximum of four persons).

(n) A home occupation shall not include, but shall not be limited to, the following uses:

1. Medical offices, clinics, and laboratories, except for psychologists, speech therapists, acupuncturists, and other professionals with one-on-one counseling, therapy, or treatment that do not exceed six clients within 24 hours;
2. Motor vehicle sales, repair, painting, storage, restoration or conversion, engine repair or similar uses conducted outside and/or on vehicles not registered to a person currently residing at the home;
3. Veterinarian office or animal care kennels or boarding facilities. Except in the RE-2A and RE-1A zoning districts such uses may be permitted by conditional use permit;
4. Welding or machine shop;
5. Restaurants; or
6. Body piercing and/or tattoo studio.

(o) Complaints by citizens or local residents may be cause for termination of the home occupation.

1. All complaints or violation of the above conditions shall be registered with and reviewed by the Zoning Administrator.
2. The burden of proof shall be upon the home occupation to prove that the standards of this section are being met, especially regarding possible nuisances and traffic.
3. If appropriate measures cannot be undertaken to mitigate the complaint or violations, the Zoning Administrator may determine that a particular type or intensity of use is unsuitable to be a home occupation and require termination of the use. Appeals of the Zoning Administrator's decision can be made to the Board of Adjustment.