

**Sec. 31-545. - ~~Home occupations~~ Home-based businesses.**

(a) *Purpose.* The supplemental zoning regulations in this section are intended to allow the use of a residential dwelling unit for a secondary or small-scale occupation, such that the dwelling unit is not changed nor the residential character of the neighborhood adversely impacted.

(b) *Definition.* A Home-based business means a business activity which:

1. Has its primary location in a residential dwelling and any on site retail transactions are only conducted at the residential dwelling;
2. Is clearly incidental and secondary to the use of the dwelling for residential purposes;  
and
3. Does not change the residential character of the dwelling.

(c) *Where permitted.* Home ~~occupations~~-based businesses, as regulated by this Code, are permitted uses in all of the city's residential zoning districts. However, a home ~~occupation~~ based business shall not be in conflict with a restrictive covenant of a homeowner association or property owner association.

(d) *Prohibited uses.* The following uses are specifically prohibited as home ~~occupations~~ based businesses:

(1) Retail transactions may not be conducted at a structure other than the residential dwelling however incidental business uses and activities may be conducted at the residential property.

(2) ~~or Wholesale sales on the premises, including food sales.~~

(~~3~~) Personal services, such as barber or beauty shops.

(~~3~~) Nursing home.

(~~5~~) Vehicle or boat repair.

(d) *Standards for approval.* In accordance with the purpose of this section, a home based business ~~occupation~~:

(1) Shall not necessitate any physical changes to a dwelling unit, such as separate doorways or extra parking spaces;

(2) Shall not generate vehicular or pedestrian traffic which adversely impacts the residential character of the neighborhood; or

(3) Shall not create any other adverse impacts on adjacent neighbors or the neighborhood.

(e) *Operation requirements.*

(1) *Location.* A home ~~occupation~~ based business must be conducted entirely within a dwelling unit or garage, on a residential property, but not in an open porch or carport.

This restriction shall not prohibit off-premises sales or services involved in a home occupation.

(2) *Incidental nature.* The area devoted to a home ~~occupation~~ based business shall not be the dominant use of a dwelling, and shall not exceed ten percent of the total square footage of living area or 200 square feet, whichever is less~~ast~~. The activities of the home-based business are secondary to the property's use as a residential dwelling.

(3) *No change to character of dwelling.* There shall be no external evidence, sign, noise or odor indicating that a dwelling is being used for a home based business ~~occupation~~.

(4) *Employee restrictions.* ~~A home occupation must be conducted only by family members or other persons residing on the premises.~~ The employees of the business who work at the residential dwelling must also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees that do not work at the residential dwelling.

(5) *Parking.* Vehicles and trailers used in connection with the business shall be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence.

(65) *Occupational license.* Business Tax Receipt. ~~A city occupational license~~ business tax receipt is required for all ~~any~~ home based businesses ~~occupations~~.

(76) *Number.* Only one home occupation shall be permitted at a dwelling unit.

(87) *Advertising.* No external evidence or sign shall advertise, display or otherwise indicate the presence of a home based business ~~occupation~~, nor shall the street address of the home based business ~~occupation~~ be advertised through signs, television, radio or newspapers.

(98) *On-premises sales.* A home based business ~~occupation~~ shall not involve the sale of any stock in trade, supplies, products or services on the premises, if such activity creates adverse traffic impacts on the area. Only occasional outside visitation shall be allowed. Occasional visitation is considered to be no more than two separate visits per day. The home-based business may not conduct retail transactions at a structure **other than** the residential dwelling.

(109) *Outside storage.* No equipment or materials involved in a home based business ~~occupation~~ shall be stored or displayed outside of the dwelling unit, including driveways.

(110) *Nuisances.* A home based business ~~occupation~~ shall not involve the use of any mechanical, electrical or other equipment, materials or items which produce noise, electrical or magnetic interference, vibration, heat, glare, smoke, dust, odor or other nuisance outside the dwelling unit. There shall be no storage of hazardous or noxious materials at the site of the home based business ~~occupation~~.

(f) *Violations.* ~~The Code Compliance Division of the Development Services Department of community development and environmental control may issue a citation for a violation of the regulations in this section. The city's code enforcement board shall make a determination regarding the citation and shall take appropriate action.~~ This action may include the revocation

of the Business Tax Receipt occupational license (~~certificate of use~~) for the home based  
business ~~occupation~~.