

HOME OCCUPATIONS

§ 152.350 GENERAL.

The regulation of home occupations within residential structures is intended to ensure that the occupational use is clearly accessory or secondary to the principal dwelling use and that compatibility is maintained with surrounding residential uses.

(Ord. 125, 2nd Series, passed 12-15-2003)

§ 152.351 APPLICATION.

(A) For purposes of this section, home occupations, as defined in this chapter, shall be further defined to distinguish permitted home occupations from conditionally permitted home occupations.

(B) Accordingly, all home occupations which satisfy the permitted home occupation criteria shall be considered as accessory uses.

(C) Home occupations which fail to satisfy the permitted home occupation criteria in the R-1 Single-Family Residential District shall be prohibited.

(D) Home occupations which fail to satisfy the permitted home occupation criteria in other districts shall require a conditional use permit, as provided for in the conditional use provisions of this chapter and may be established upon conditions set forth in the approved permit.

(Ord. 125, 2nd Series, passed 12-15-2003)

§ 152.352 PERMITTED HOME OCCUPATIONS.

(A) Permitted home occupations in the R-1 Single-Family Residential District shall consist of:

(1) Businesses which require no special space within the principal building to be designed or arranged for the use, so that it would require any major internal or external alterations or involve

construction or features not customary to dwellings (either by color, materials or construction, lighting, sound or noise, vibration or electrical interference and the like);

(2) Businesses that will not generate pedestrian or vehicular traffic beyond that which is reasonable or normal to the district in which located;

(3) Businesses that employ only residents of the premises;

(4) Businesses that use partly or exclusively, no more than 25% or 150 square feet of one floor, whichever is least, including accessory buildings;

(5) Businesses that require no signs other than personal or address signs; and

(6) Businesses that primarily render services off the premises, in contrast to those that require customers to come directly to the premises for the business service to be rendered.

(B) Permitted home occupations in other districts shall consist of:

(1) Businesses that require no unreasonable use of materials or mechanical equipment not recognized as being part of and compatible with normal household use;

(2) Businesses that will not generate pedestrian or vehicular traffic beyond that reasonable or normal to the district in which located;

(3) Businesses that will not involve the unreasonable or inappropriate use of commercial vehicles for delivery of occupational materials to or from the premises;

(4) Businesses where no accessory building or space outside of the principal building shall be exclusively used;

(5) Businesses that require no special space within the principal building to be designed or arranged for the use so that it would require any major internal or external alterations or involve construction features not customary to dwellings (either by color, materials, construction, lighting, sound or noise, vibration, electrical interference and the like);

(6) The home occupation shall be conducted by a member of the family residing in the dwelling unit with not more than one employee who is not a member of the family residing in the dwelling unit;

(7) Businesses that use partly or exclusively, no more than 25% or 300 square feet of one floor, whichever is least, including accessory buildings; and

(8) Business signs per § 152.444.
(Ord. 125, 2nd Series, passed 12-15-2003)

§ 152.353 CONDITIONALLY PERMITTED HOME OCCUPATIONS.

Conditionally permitted home occupations in districts other than the R-1 Single-Family Residential District shall consist of those home occupations which do not meet the requirements of § 152.352(B). (Ord. 125, 2nd Series, passed 12-15-2003)

§ 152.354 BED AND BREAKFAST FACILITIES.

(A) *District application.* Bed and breakfast facility are allowed within any residential district of the city subject to the approval of a conditional use permit.

(B) *Conditions of approval.* A bed and breakfast facility may be allowed; provided that:

- (1) A maximum of four bed and breakfast units may be established in a structure;
 - (2) The facility shall have a state license (hotel and food) and comply with Building and Fire Codes as may be required or applicable;
 - (3) The facility shall be owner- or manager-occupied;
 - (4) The principal structure shall have a minimum size of 1,500 gross square feet and shall be located on a lot which meets the minimum lot size of the district in which it is located;
 - (5) All bed and breakfast units shall be established within the principal structure;
 - (6) Not more than the equivalent of one full-time person shall be employed by the bed and breakfast facility who is not a resident of the structure;
 - (7) Dining and other facilities shall not be open to the public, but shall be used exclusively by registered guests and residents;
 - (8) No liquor may be sold on the premises;
 - (9) Two off-street parking spaces shall be provided for the home, plus one space for each bed and breakfast unit;
 - (10) Not more than one identification sign not exceeding two square feet in area may be attached to each wall which faces a street. The sign shall be reflective of the architectural features of the structure and may not be internally illuminated or lighted between 10:00 p.m. and 6:00 a.m.; and
 - (11) Adequate lighting shall be provided between the principal structure and the parking area for safety purposes. Any additional external lighting is prohibited.
- (Ord. 125, 2nd Series, passed 12-15-2003)