

6-5-12: DEVELOPMENT STANDARDS FOR SINGLE-FAMILY RESIDENCES:

(B)Home Occupations:

1. Purpose: The regulations set out in this subsection (B) are designed to establish criteria under which residents can operate a home occupation. In order to establish a home occupation, the applicant shall submit a home occupation permit application for approval by the planning and building director. The director will determine if that operation of a home occupation is consistent with the requirements of this title and in accordance with the procedures herein set forth.

2. Application Contents: An application for a home occupation permit shall include the following:

- (a) Name and address of applicant.
- (b) Name(s) and address(es) of property owner(s).
- (c) Assessor's parcel number(s).
- (d) Description of the home occupation including:
 - (1) Trade name or business title.
 - (2) Resale number, if any.
 - (3) Detailed description of the proposed occupation.
 - (4) Tools, machinery or equipment required or used in the practice of the home occupation.

3. General Standards: All home occupations shall adhere to the following standards:

- (a) The home occupation shall not involve the use of commercial vehicles for the delivery of materials to or from the premises beyond those commercial vehicles normally associated with residential uses.
- (b) The home occupation shall be confined to an enclosed structure.
- (c) Use of utilities and community facilities shall be limited to that normally associated with residential purposes.

(d) The home occupation shall not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance.

(e) No sign shall be permitted other than allowed for under subsection [6-5-2\(F\)](#) of this chapter.

(f) If home occupation is to be operated by a tenant of the property, notarized written permission from the property owner for the use of the property for the home occupation shall be submitted.

(g) Storage or use of chemicals, solvents, mixtures or materials that are corrosive, toxic, flammable, an irritant, a strong sensitizer or other similar materials shall not be allowed as part of home occupations.

(h) Public advertising (e.g., handbills) shall only list: phone number, home occupation operator's name, post office box and description of business or service. Location information shall be limited to community name only. Business address or location should not be included in any public advertising.

(i) Operating hours of a home occupation shall be between seven o'clock (7:00) A.M. and eight o'clock (8:00) P.M. The home occupation shall be conducted by appointment only.

(j) All employees, partners or operators of the home occupation shall be members of the resident family and shall reside on the premises.

(k) Up to twenty five percent (25%) or two hundred fifty (250) square feet, whichever is greater, of the total floor area of the dwelling unit and related accessory structures, may be used for storage of materials and supplies related to the home occupation. Outside storage of any kind related to the home occupation shall not be permitted.

(l) Business would be subject to inspection by code enforcement personnel and other authorized personnel during regular operating hours.

4. Prohibited Uses: The following uses, by their operation or nature may interfere with residential welfare and diminish the convenience intended for commercial zones, and therefore shall not be permitted as home occupations:

(a) Motor vehicle repair or service.

(b) Hairdressers for men and women.

(c) Gun or ammunition sales, including by mail order.

(d) Any use that would be precluded by subsections (B)3(d) and (B)3(g) of this section.

5. Permit Revocation: Noncompliance with the general standards as outlined in subsection (B)3 of this section may be cause to revoke the home occupation permit, pursuant to section 6-28-1 of this title.

(C)Secondary Residential Units:

1. Only one secondary residential unit shall be permitted on any one lot.
2. The secondary residential unit shall contain separate kitchen and bathroom facilities.
3. The maximum total gross floor area of the secondary residential unit shall not exceed eight hundred (800) square feet.
4. The secondary residential unit shall conform to the development standards for the zoning district in which it is located, including, but not limited to, standards for front, rear and side yard setbacks, height and lot coverage, but excluding density standards.
5. One off street parking space shall be provided for each secondary residential unit in addition to parking required for the existing residence according to the standards of section 6-23-3 of this title. Tandem parking shall not be permitted.
6. The secondary residential unit shall be constructed in such a manner as to be compatible with the existing neighborhood in terms of form, height, material and landscaping. In addition, the principal entrance to the secondary residential unit shall not be visible from the street.
7. The secondary residential unit shall not create excessive noise, traffic congestion or parking congestions, or overload public facilities such as water and sewer services.
8. Secondary residential units shall not be constructed on lots having less than six thousand (6,000) square feet of land area.
9. Residential uses to which secondary residential units are added shall be owner occupied.
10. Secondary residential units shall not be permitted on lots with existing nonconforming uses.

11. The secondary residential units shall conform to any other conditions or standards which in the judgment of the planning commission are necessary to mitigate possible adverse impacts on the neighborhood.

12. Existing secondary units may be permitted by obtaining a conditional use permit in accordance with the requirements above and by meeting the requirements of the current building codes as certified by the building inspector through an inspection of the unit and payment of appropriate inspection fees.

(D)Modification Approval: The planning director may approve a modification of the above standards upon making any of the following findings:

1. Such modification is needed for safety reasons, to comply with other applicable codes, laws, ordinances, rules and regulations. Such determination may be made by means of elevations, photographs, renderings and/or site plans as the director deems necessary; or

2. The proposed alteration or addition to an existing residence will be a continuation of existing architectural style. (Ord. 622-95, 1-10-1995)

(E)Decisions: The decision of the director shall be final, unless appealed, within fifteen (15) calendar days, as provided in section [6-26-8](#) of this title. (Ord. 723-05, 7-19-2005)